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THE Nation.

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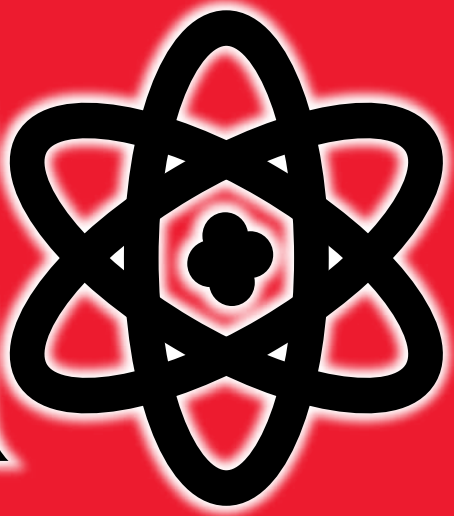

THE NUCLEAR DILEMMA IN THE OBAMA ERA

JONATHAN SCHELL

APRIL 19, 2010
TheNation.com

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Letters

Smoking Gun…

Cleveland, Ohio

Jon Wiener's March 15 cover article, "Big Tobacco & the Historians," is a journalistic lapse. It tells the story of Robert Proctor, a historian who has long testified for plaintiffs in smoking and health cases. For almost as long, Dr. Proctor has worked extrajudicially to dissuade other historians from testifying against him.

In 2009 Proctor learned the names of University of Florida graduate students who served as research assistants to an opposing historian. On learning the names, Proctor contacted a Florida professor he thought might be sympathetic. He provided her with the students' names and in e-mails urged her to contact, in sequence, the students' advisers, the department chair and the complete department faculty to forbid the students from doing the work. Hints of this reached the students, and judicial discovery ensued. I took Proctor's deposition. The article quotes the plaintiffs' lawyer, but I was not contacted.

Wiener's assertion that the judge who reviewed Proctor's conduct found "nothing improper" is stupefying. The court found Proctor's conduct to be "tortious," "designed to strike at the heart" of a "fair and impartial trial." It described Proctor's efforts to humiliate the graduate students as the "lowest of the low."

Nor did Proctor produce his correspondence to defendants, as your article implies. Rather, he deleted the damaging e-mails from his computer when he learned they might be sought. They were ultimately obtained from the University of Florida's server. The court found that Proctor had engaged in an unsuccessful cover-up.

Nor did Louis Kyriakoudes, another testifying historian, who works with Proctor, withdraw because of "harassment." He withdrew when an e-mail of his was discovered advising Proctor to change and falsify testimony. The article, including its attacks on opposing historians, reads as though written by Proctor himself. It is false.

One expects more from *The Nation*.

Theodore M. Grossman

letters@thenation.com

Wiener Replies

Irvine, Calif.

Theodore M. Grossman boasts on his web page at JonesDay.com that he is Big Tobacco's "stopper" in winning high-profile cases. For years he has worked to stop smokers with cancer from collecting damages; now he's trying to stop Stanford historian Robert Proctor from testifying as an expert witness on behalf of such smokers.

It's true that Volusia County Circuit Court Judge William Parsons called Proctor the "lowest of the low." But the judge had been asked by tobacco attorneys to exclude Proctor as an expert witness, and the judge rejected their motion. Proctor will testify in the case in question. One other relevant fact, noted by Judge Parsons in his Order Denying Motion to exclude Proctor: "the court has never had the opportunity to meet Dr. Proctor" and "there was no evidentiary hearing" in which Proctor could have appeared or offered a defense.

Proctor was concerned about the graduate students in question because their research was part of the tobacco companies' legal strategy: when smokers get lung cancer it's their own fault, tobacco attorneys tell juries, because newspapers published articles in the 1950s and '60s about the health hazards of smoking. The Florida students were searching local papers for those articles.

The fact is, Proctor did produce his correspondence. Grossman himself was sent those e-mails by Stanford senior counsel Lauren Schoenthaler, along with a statement that "Stanford is providing these records to you at Mr. Proctor's request." In the e-mails he does not seek to have "the complete department faculty…forbid the students from doing the work." That is false. All he says is, "I would be very interested to know whether these students' advisors know what they have been doing." As for the charge that he "deleted the damaging e-mails…when he learned they might be sought": Proctor says, "That is untrue. I delete my e-mails routinely."

There is nothing in the judge's order

(continued on page 24)

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Courting Judges

For decades, Republicans made judicial selection a priority and set the terms of debate. We've all heard the denunciations of "judicial activism," the insistence on "strict construction" and the scorn heaped on judges who "legislate from the bench." These catchphrases were promoted as "principled" means of attacking the progressive Warren Court. In reality, they were tools for opening the bench to judges who would favor employers over employees, big corporations over little people, prosecutors over defendants, government over individuals, polluters over environmentalists and white civil rights plaintiffs over affirmative action for minorities. As Chief Justice John Roberts and his four conservative colleagues recently demonstrated by opening the floodgates for corporate dollars to flow into our political system, they have shed any pretense of judicial modesty and are pursuing their ideological agenda full tilt.

EDITORIAL

Obama's election promised to block this rightward charge, but the administration has been slow to deliver, and Republican obstruction has taken a toll. During his first fourteen months in office, Obama nominated only fifty-six judges to fill more than 100 vacancies. George W. Bush nominated nearly twice that number in the same period. Because of GOP exploitation of Senate holds and filibuster threats, only eighteen of Obama's nominees have been confirmed, and even nominees who were eventually confirmed unanimously were forced to wait months for a vote. During the same period, forty-two Bush nominees were confirmed by a Senate controlled by Democrats.

The delay is more striking given the moderate views of Obama's nominees. By steering away from full-throated defenders of due process, equal protection and civil rights, the administration has avoided confronting conservatives' distorted view of jurisprudence. Even last summer's confirmation of Justice Sonia Sotomayor played out according to the GOP model. Under assault from the right, she was compelled to back away from her comment that a wise Latina could bring something special to the Court, instead accepting that all justices must come to the same conservative positions or be branded activists who legislate from the bench.

Fortunately, the president has picked up the pace of nominations, selecting Goodwin Liu for the Ninth Circuit Court of Appeals. Liu, a leading education and civil rights scholar, is one of Obama's few Appeals Court candidates not simply being promoted from a lower court or building on a career as a prosecutor. His confirmation should be a no-brainer, but Republicans are gearing up to do battle. They see Liu as a threat to move up to the Supreme Court and as a challenge to their phony rhetoric. They also recognize that confirmation of Liu could give Obama room to nominate a progressive successor to Supreme Court Justice John Paul Stevens, who is expected to retire soon.

Will Obama step up to the challenge? He is showing signs of spunk. He fired a shot across the Supreme Court's bow in his State of the Union address. After his energizing victory on healthcare, he bypassed Senate Republicans to recess-appoint controversial nominees to labor and civil rights positions. And he surely understands what is at stake. As FDR learned, conservative judges on a mission pose a serious threat to a president who wants to bring about democratic change. Obama must be bold in nominating judges who will impose the rule of law to protect individual liberty, equality, privacy and our political system. His legacy depends on it.

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VOLUME 290, NUMBER 15, APRIL 19, 2010
PRINTED MARCH 31

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SUBMISSIONS: Queries only, no manuscripts. Go to www.thenation.com and click on "about," then "submissions" for a query form. Queries may be mailed to The Nation, 33 Irving Place, New York, NY 10003. SASE for poems.

INTERNET: Selections from the current issue become available Thursday night at www.thenation.com.

Printed on 100% recycled 40% post-consumer acid- and chlorine-free paper, in the USA.

Breaking the Banks

With healthcare reform passed, the next big legislative battle will be over financial regulation reform. Unlike the Affordable Care Act, which the nation followed from opening to closing credits, financial reform has been running in a largely empty theater. Many reporters and citizens find themselves walking into the show two-thirds of the way through, bewildered by its complexity. But the movie's not over yet, and the ending is undetermined. So it's important for progressives to understand the essential elements of financial reform.

Here's where we are. In December the House passed a comprehensive financial reform bill, crafted mainly by Barney Frank and the Treasury. The bill gets, at best, a B-. There are some strong provisions—an independent consumer protection agency and caps on leverage—and some gaping loopholes, such as exceptions for derivatives that render the new requirements largely moot. Even after Wall Street lobbyists had nibbled and chomped through it in committee, the Financial Services Roundtable and Chamber of Commerce still opposed it, which counts as no small point in its favor. The bill passed with—surprise!—zero Republican votes.

In late March, Chris Dodd steered his own version of financial regulation reform out of the Senate Banking Committee. Several months of negotiations with Republicans made the bill weaker than Frank's bill but didn't yield any Republican votes. (Sound familiar?) The bill will now go to the floor, where it can be amended. Since almost none of the bill can qualify for the reconciliation process, passage will almost certainly require at least one Republican defection. In other words, a weakened version of the already watered-down House bill will need to be diluted even further to pass. Here's what to watch for as Republicans and self-described centrists start bringing out the fire hoses.

The Consumer Financial Protection Agency: This independent agency to regulate consumer credit practices is the brainchild of TARP watchdog and Harvard law professor Elizabeth Warren. In her plan, the agency would root out predatory and risky practices, like exploding mortgages with tempting teaser rates, before they spread through the system. A reasonably strong version of CFPA passed in the House (despite the banks' fierce effort to kill it and major loopholes carved out for lenders like auto dealers and pawnbrokers), and a weaker version of it exists in the Dodd bill, where it's been converted into the Consumer Financial Protection Bureau and housed in the Federal Reserve. Even in this weakened form, the CFPA has attracted sustained opposition from industry interests. Indeed, the Chamber of Commerce is running TV ads that darkly (and implausibly) argue that a CFPA will somehow target small businesses. Heather McGhee, who's been following the CFPA closely for Demos, points out that even in the Dodd version the bureau retains broad "rule-writing authority," the crucial power to say which practices are and are not kosher. If that ever goes, the raison d'être for the CFPA goes with it.

Bring Derivatives Into the Light: If there's a single cause

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Noted.

LAURELS FOR MUCKRAKERS: Three *Nation* reporters have been recognized with some of the highest honors in journalism for their work in exposing corruption and injustice. *Nation* correspondent **Jeremy Scahill** has received the second annual **Izzy Award** for special achievement in independent journalism. The judges cited his "persistence, independence and journalistic courage" in his coverage of human rights abuses committed by private military contractors in Iraq and Afghanistan, noting how his reporting "embodies the independent spirit of Izzy Stone," the legendary muckraking founder of **I.F. Stone's Weekly**. Last year Scahill, a Puffin Foundation Writing Fellow at The Nation Institute and the author of the bestselling *Blackwater: The Rise of the World's Most Powerful Mercenary Army* (NationBooks) who also reports for **Democracy Now!**, wrote nearly two dozen articles and dispatches for *The Nation* documenting contractor crimes, sparking multiple Congressional investigations and inquiries.

Aram Roston's probe into how Pentagon money is being used to pay off insurgents, in what amounts to an elaborate and self-defeating protection racket in Afghanistan ("How the US Funds the Taliban," November 30), is a finalist for the **Daniel Pearl Award**. The award is a project of the **International Consortium of Investigative Journalists** that recognizes cross-border reporting of the kind Pearl pursued for the *Wall Street Journal* before his murder. Roston's report, which was supported by the Investigative Fund of The Nation Institute, attracted the attention of Secretary of State **Hillary Clinton** and NATO officials, and triggered an ongoing Congressional investigation. Representative **John Tierney**, chair of the national security subcommittee of the House Oversight Committee, said that Roston's article raised "serious allegations… that private security providers for US transportation contractors in Afghanistan are regularly paying local warlords and the Taliban for security."

A.C. Thompson, who documented racist violence by armed white vigilantes in New Orleans ("Katrina's Hidden Race War" and "Body of Evidence," January 5, 2009) with the support of the Investigative Fund, was a finalist for the prestigious **Goldsmith Prize for Investigative Reporting**, and he has received the **Investigative Reporters and Editors Magazine Certificate** and the **James Aronson Award for Social Justice Journalism**. Thompson's reports led to an FBI investigation and the empaneling of a federal grand jury in New Orleans, with indictments expected soon. Former and current police superintendents were called to testify, and three officers are under investigation in the death of **Henry Glover**, whose gruesome murder went uninvestigated until Thompson's articles drew attention to it.

I.R.V. BUZZ: Instant runoff voting, the smart reform that makes majority rule possible in multi-candidate elections, is finally capturing the imagination of the opinion leaders, who just might jump-start this movement at the national level. Über-influential **New York Times** columnist **Thomas Friedman**—not a frequent recipient of praise from this magazine—started things off with a March 24 column that noted how some Republicans had voted against healthcare reform because they feared retribution in party primaries, and how Democrats are similarly fearful on other issues. "When your political system punishes lawmakers for…doing the right things, it is broken," he wrote.

What to do? "Break the oligopoly of our two-party system" with redistricting reforms that take the power to draw Congressional district lines out of the hands of partisans, argued Friedman, and "get states to adopt 'alternative voting'" that allows voters to rank an independent candidate "your No. 1 choice, and the Democrat or Republican No. 2. Therefore, if the independent does not win, your vote is immediately transferred to your second choice, say, the Democrat. Therefore, you have no fear that in voting for an independent you might help elect your real nightmare—the Republican."

The New Yorker's **Hendrik Hertzberg**, a veteran reform advocate, welcomed Friedman aboard "for what we electoral-reform monomaniacs call…I.R.V.," and an elated **FairVote** executive director **Rob Richie** chimed in with a note that "*Hurt Locker* won the best picture Oscar with this system, and voters handle it well in major elections in Minneapolis and San Francisco and in nations like Ireland, Australia, New Zealand and the United Kingdom." Now if we could just get Friedman excited about reforming our broken "free trade" policies. JOHN NICHOLS

GREECE HEATS UP: Each year on March 25, Greece celebrates its own Fourth of July, commemorating the country's independence from the Ottoman Empire. This year the mood was dampened by the economic crisis, but that didn't keep members of the Coast Guard's Special Forces from chanting violent hate-filled slogans as they paraded through the center of Athens: "You're born a Greek, you can never become one, we'll spill your blood, Albanian pig!"; "They're called Albanians, they're called Skopjeans, we'll make clothes out of their skins!" A YouTube video promptly made the rounds. To its credit, the government reacted decisively and quickly, suspending the officer in charge and launching a full investigation. But the incident confirms the infiltration of Greece's security forces by extremist groups like the neo-Nazi **Golden Dawn**, which has in the past been protected by a shield of official tolerance, and whose ideas are given an "acceptable" gloss by mainstream parties like the **Popular Orthodox Rally**, which has fifteen seats in Parliament.

Some in Greece feel that such episodes shouldn't be reported abroad lest they tarnish the country's image, feeding the humiliation that nourishes xenophobia. But to treat the rise of the far right as a guilty family secret, in Greece or anywhere, is a dangerous mistake. The harsh response of Germany's **Angela Merkel** in particular to the Greek debt crisis, and the imposition of draconian austerity measures by the EU, has fueled a popular reaction that conflates all foreigners with enemies. At the same time, Europe demands that Greece police its borders and cope with the vast numbers of migrants and refugees who reach the islands. **George Papandreou**'s government needs international support as it pushes through its reforms—including a law that will normalize Greece's citizenship rules, granting nationality to the children of legal immigrants. MARIA MARGARONIS

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of the scale of the financial crisis, it's the derivatives known as credit default swaps. Unlike stocks, credit default swaps were not traded on exchanges, where it's easy to keep track of who's doing business. Once things blew up, no one in the market knew who had purchased insurance and who was doing the insuring; no one knew who owed what to whom. This uncertainty about the solvency of each institution hugely exacerbated the panic in the wake of Lehman Brothers' bankruptcy. The obvious solution is to create an exchange for derivatives, not unlike the stock exchange, where everyone trades in a public manner. The House bill contains such a proposal, but thanks to tenacious lobbying by a variety of financial interests, it is, in the words of one analyst who's been briefing Democratic staffers, "Swiss cheese." The Dodd bill is a good deal better, but the same coalition of interests that weakened the House bill will push for the Dodd bill to be similarly carved up. Without real oversight and regulation of derivatives, many of the bill's other provisions can quite easily be made toothless.

Taking on "Too Big to Fail": This is the area where the legislation on offer is the lamest. The House bill does limit leverage and impose some greater costs on bigger banks, but it has no mechanism to require the biggest banks to downsize. The Dodd bill includes a version of the so-called Volcker rule, which would cap bank size, but it requires a six-month study before implementation, allowing the banks an opportunity to subvert the new regulations. So as things stand now, neither bill is likely to downsize the largest banks significantly. But Senator Sherrod Brown is planning an amendment that would cap banks' total outstanding nondeposit liabilities at 3 percent of GDP, or, in current terms, about $426 billion. Consider that Bank of America's outstanding nondeposit liabilities are currently $1 trillion, and you get a sense of just how much this would alter the landscape—and how much the banks will fight it.

There are two ways of viewing the financial crash. One way is as a technical failure with a technical solution—adjusting the mechanisms of oversight, granting regulators new abilities, making market transactions more transparent and aligning incentives in a more productive fashion. That's largely the view taken by the Obama administration, and it's the logic that suffuses much of the pending legislation. The other way to view the problem is as a fundamentally political one with a singular root cause: the banks have too much power. From this perspective, the most important result of reform would be to reduce that power, something each of the three reforms above would help do.

Progressive critics of the healthcare reform bill like Bernie Sanders and Dennis Kucinich voted for it because they were persuaded that the bill moved things in the right direction and would provide immense relief and security to millions of Americans. With financial regulation, the banks aren't holding 30 million uninsured Americans hostage. And a bill that passes but doesn't reconfigure the political economy of the financial sector stands a good chance of making things worse, allowing Washington and Wall Street to go back to the status quo with a false sense of security that the problem has been solved. At this point, I think the House bill with stronger derivatives language would clear the bar. But throughout the next few months, the most important part of the fight to watch is how the banks react as the legislation develops. If the banks aren't fighting and squealing like hell, you'll know the reform isn't worth the paper it's written on. And if you see the main industry groups actually endorsing the final product, as, say, AHIP and PhRMA did with healthcare reform, then it's time to bring those "kill the bill" chants out of retirement.

CHRISTOPHER HAYES

Calvin Trillin, Deadline Poet

On Right-Wing Apoplexy

The healthcare bill that's now provoked this fit
Is like the one steered into law by Mitt
In Massachusetts. Why, then, do they mind it?
Is this, perhaps, about the man who signed it?

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Watch John Nichols appearing on **Bill Moyers Journal** to talk about the changes to healthcare reform that progressives need to push.

View a special slideshow in time for **Earth Day** highlighting The Nation's role as an early warning system about the perils of environmental degradation, with archive articles on the conservation dating back to the days of **John Muir**.

Fourteen states have filed suit challenging the healthcare overhaul as unconstitutional. On this week's **The Breakdown**, Christopher Hayes asks Columbia law professor Gillian Metzger whether that argument holds up. And in **Bad Law, Smart Politics in Constitutional Challenges to Healthcare Reform**, Aziz Huq argues that while the constitutional challenges might be legally invalid, they could score points for conservatives.

Five years after alerting authorities that she was gang-raped in Iraq, KBR/Halliburton employee Jamie Leigh Jones will finally get her day in court, writes Karen Houppert in **KBR on Trial—at Last**.

In **Back Talk**, Christine Smallwood talks to Alice Echols, author of *Hot Stuff: Disco and the Remaking of American Culture*, about the birth of disco and its transformation of gay life.

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ACT BOLDLY FOR PEACE:

Put U.S. Aid in Escrow till Settlers Return Inside Israel; Insist Palestinians & All Arab States Recognize Israel

The wisdom of the Torah and the testimony of an American general come together to say: There must be bold new American action, not speeches alone, to secure peace for Israel, Palestine, the Arab world, and America itself.

The Torah teaches: *"Cursed be he who moves back his neighbor's territory-marker. And all the people shall say, Amen!" (Deut.27:17)*

"When a stranger lives with you in your land, you shall not wrong him. ...He shall be to you as one of your citizens. You shall love him as yourself, for you were strangers in the Land of Narrows. I YHWH, the Breath of Life, am your God." (Lev.19:33/34)

And the general warns: *"Arab anger over the Palestinian question limits the strength and depth of U.S. partnerships with governments and peoples in the [Central Command's Area of Responsibility]...Meanwhile, al Qaeda and other militant groups exploit that anger to mobilize support...[P]rogress toward resolving the political disputes in the Levant, particularly the Arab-Israeli conflict, is a major concern for Centcom." –General David Petraeus*

The Government of Israel has shifted many territory-markers of its neighbors and has wronged them by occupying the West Bank and East Jerusalem, settling its own people upon the land thus grabbed, killing hundreds of Palestinians in an attack on Gaza, and blockading civilian goods like food, fuel, and medicine from entering Gaza.

Some Palestinian leaders have threatened to shift territory-markers in the future by denying the right of Israel to live in peace, and meanwhile have attacked and killed its citizens.

The US government has condemned and punished Palestinian groups that have been addicted to violence, but has both failed to insist that the Israeli government end its addiction to land-grabs, occupations, and blockades of vital civilian goods, and failed to offer Israel the money necessary to bring the settlers home to decent homes.

Only the US government has the power and influence to work with the Arab League and its proposal for a regional peace treaty; with the Palestinian leadership, including those elements of Hamas that have said that if the Palestinian people votes for a two-state solution, they will accept it; and with the government of Israel, whose military policy depends on US military aid.

That aid amounts to at least three billion dollars a year. We urge the US to announce that it will put half the military aid to Israel in escrow, to be paid on the following conditions:

The money will be made available to pay the costs of resettling – providing decent new homes and neighborhoods – to the Israelis who are now living in Palestinian land beyond the 1967 borders (except those who are already living in the Old City of Jerusalem and those who choose to live under Palestinian law and sovereignty), and will be paid in this way: (a) one-fifth when the blockade of civilian goods from entering Gaza is restricted to preventing only actual weapons from being imported into Gaza; and (b) the remaining four–fifths to pay for the costs of resettlement. As the US is convinced that this process is indeed fully under way in good faith and commitment, military aid will resume.

Simultaneously, the US should offer aid to a nascent Palestine on condition that leaders from at least some of Hamas and Fatah join in a government of national unity, take vigorous steps to prevent attacks on Israel, and agree to take part in a regional peace conference with the goal of achieving peace among Israel, Palestine, and all Arab states within approximately the 1967 boundaries.

And we urge the US to call for a regional peace conference within four months of all Arab states, Israel, and the national unity government of a nascent Palestinian state, to achieve peace and security for all in the Middle East and greater safety for America.

In a moment of great danger when Israel's government is acting recklessly in ways that would make impossible a peace agreement through which Israel itself could become secure and democratic as well as preserving its special connection with the Jewish people, and that would worsen rather than ending the suffering and subjugation of Palestinians, only this bold action can free both peoples.

In the spirit of the Torah's call for loving-kindness that transcends boundaries, this policy would transform the uses of American money from supporting violence and domination to building homes, protecting human beings, and affirming peace.

YOU CAN HELP SUPPORT THIS WORK EITHER ON-LINE OR BY SENDING US THE FOLLOWING:

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6711 Lincoln Drive, Philadelphia PA 19119

I enclose a (tax-deductible) donation of ☐ $1,000 ☐ $500 ☐ $180 ☐ $36 ☐ Other

☐ Please also include my name in a public statement of agreement with this call for bold US action.

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ON-LINE: Please visit The Shalom Center's website at www.theshalomcenter.org/boldaction and follow the link to the sign-on and donation page to participate in this campaign! **www.shalomctr.org**

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Ten Things.

Ten Things You Can Do to Help Progressive Journalism

What's wrong with this picture? Air America vanishes into the ether, while Glenn Beck indoctrinates 2.7 million daily viewers with his histrionic brand of right-wing lunacy. Independent news agencies must continuously solicit donations from readers to stay afloat, while hate-filled shock jock Rush Limbaugh makes $50 million a year.

On the other hand, there's still a lot of great progressive media on the airwaves, including *Democracy Now!*, which airs on more than 800 TV and radio stations worldwide, along with radio shows by Ed Schultz and Stephanie Miller. *The Nation* and TheNation.com are part of a progressive journalistic community that is challenging the right in every medium. ZP Heller, a writer (HuffPo, OpenLeft, AlterNet) who is working on a novel lampooning corporate media, lists ten steps you can take to help keep progressive journalism alive:

1 *Check it.* Media Matters and Fairness & Accuracy in Reporting (FAIR) have been dogged in holding Fox News accountable for spewing gross misinformation on a near daily basis. Get the facts about how Fox's right-wing agenda still oozes on the air, even when Beck, O'Reilly and Hannity aren't on-screen. Go to mediamatters.org and fair.org.

2 *Read it.* AlterNet just underwent a major overhaul, with renewed emphasis on hard-hitting content and investigative reporting. The site also features a Progressive News Wire, which sifts through more than two dozen sources. And AlterNet encourages readers to play a more active role, either by contributing to SoapBox (blogs.alternet.org), user-generated blogs that post directly to the homepage, or in its Take Action section.

3 *Watch it.* Former Air America host and current *Nation* contributor Laura Flanders brings the heat with her free daily show, GRITtv (grittv.org), as does Cenk Uygur on The Young Turks (theyoungturks.com). And Brave New Films just released the groundbreaking documentary *Rethink Afghanistan* (rethinkafghanistan.com). Get a DVD and host a screening for people in your community.

4 *Post it.* Facebook just passed Google as the most visited US website, which means friends' recommendations can be a huge force in effecting social change. So use your Facebook and Twitter accounts to post that riveting article you just finished and spark dialogue and action on the issues.

5 *Click it.* Even when you can't make a financial donation to your favorite site, you can still help it thrive by posting or voting for a story on Digg, StumbleUpon, Mixx, Reddit, BuzzFlash and Delicious. Not only will helping a story go viral garner attention for a progressive issue; it will also improve the odds of a news outlet successfully approaching larger donors. Go to blog-well.com/2007/03/31/what-is-digg-reddit-fark-stumbleupon-delicious-slash-dot for an explanation of how they work.

6 *Sign it.* After you're done reading and clicking, take action by signing petitions, which have become an effective means of rallying support for good causes. For one example, go to colorofchange.org.

7 *Tweet it.* With Act.ly (act.ly) you can use Twitter to take action. This viral tool, developed by activists Jim Gilliam and Jesse Haff, enables users to create and sign petitions by tweeting. Unlike with other online petitions, the target of your Act.ly petition will see the signatures pile up in real time via Twitter, which makes them difficult to ignore. These petitions have already prompted replies from such big names as Microsoft's Bing, Google and Rick Warren.

8 *Change it.* Firedoglake (firedoglake.com) is using its influence in the blogosphere to fire up readers. In its inaugural round of voting, FDL selected Representatives Dennis Kucinich, Alan Grayson and Anthony Weiner as its top three Fire Dogs, for whom the site is raising $10,000 and identifying 500 voters apiece for GOTV activities.

9 *Say it in español.* Brave New Foundation recently launched Cuéntame (facebook.com/cuentame), a bilingual Facebook project dedicated to discussing and raising awareness on issues affecting the Latino community.

10 *Enjoy it.* After reading, posting, clicking and signing, kick back with *The Daily Show* and *The Colbert Report*. These endlessly entertaining shows have their fingers on the pulse of the progressive community, and unlike the hosts of other news shows, Jon Stewart and Stephen Colbert aren't afraid to confront politicians and corporate media alike.

CONCEIVED BY WALTER MOSLEY with research by Rae Gomes

"Ten Things" is a monthly feature. Readers who wish to propose ideas for it should e-mail NationTenThings@gmail.com.

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Alexander Cockburn

Marijuana, Boom and Bust

Marijuana was by no means the first boom crop to delight my home county of Humboldt, here in Northern California, five hours' drive from San Francisco up Route 101. Leaving aside the boom of appropriating land from the Indians, there was the timber boom, which crested in the 1950s when Douglas fir in the Mattole Valley went south to frame the housing tracts of Los Angeles.

In the early 1970s new settlers—fugitives from the 1960s and city life—would tell visiting friends, "Bring marijuana," and then disconsolately try to get high from the male leaves. Growers here would spend nine months coaxing their plants, only to watch, amid the mists and rains of fall, hated mold destroy the flowers.

By the end of the decade the cultivators were learning how to grow. There was an enormous variety of seeds—Afghan, Thai, Burmese. The price crept up to $400 a pound, and the grateful settlers, mostly dirt poor, rushed out to buy a washing machine, a propane fridge, a used VW, a solar panel, a 12-volt battery. Even a three-pound sale was a relatively big deal.

The 1980s brought further advances in productivity through the old Hispanic/Mexican technique of ensuring that female buds are not pollinated, hence the name *sin semilla*—without seeds. By 1981 the price for the grower was up around $1,600 a pound. The $100 bill was becoming a familiar local unit of cash transactions. In 1982 a celebrated grow in the Mattole Valley yielded its organizer, an Ivy League grad, a harvest of a thousand pounds of processed marijuana, an amazing logistical triumph. Fifteen miles up the valley from where I write, tiny Honeydew became fabled as the marijuana capital of California, if not America.

That same year, the "war on drugs" rolled into action, executed in Humboldt County by platoons of sheriff's deputies, DEA agents, roadblocks by the California Highway Patrol. The National Guard combed the King Range. Schoolchildren gazed up at helicopters hovering over the valley scanning for gardens. War in this case brought relatively few casualties and many beneficiaries into the local economy: federal and state assistance for local law enforcement; more prosecutors in the DA's office; a commensurately expanding phalanx of defense lawyers; a buoyant housing market for growers washing their money into legality; $200 a day and more for women trimming the dried plants. A bust meant at least a year of angst for the defendant and at least $25,000 in legal fees, though rarely any significant jail time. It did produce a felony conviction, several years of probation and all the restrictions of being an ex-felon. There are thirty-two people serving life sentences in California on a third-strike marijuana conviction. In 2008, 1,499 were in prison on marijuana convictions; in 2007, 4,925 in county jails.

By now the cattle ranchers were growing too. Where once you'd see a battered old pickup, now late-model stretch-cab Fords, Chevys and Dodges would thunder by. Ranch yards sported new dump trucks and backhoes. Dealerships were selling big trucks and Toyota 4Runners, purchased with cash. By the mid-1990s the price of bud was up around $2,400 a pound.

Best of all, the war was a sturdy price support in our thinly populated, remote Emerald Triangle of Humboldt, Mendocino and Trinity counties. Marijuana remained an outlaw crop. Then in 1996 came California's Compassionate Use Act, the brainchild of Dennis Peron, who returned from Vietnam in 1969 with two pounds of marijuana in his duffel bag and became a dealer in San Francisco. In 1990, when his companion was dying of AIDS, Peron began his drive for legal medical use of marijuana.

It was the launch point for greenhouses big enough to spot on Google Earth, plus diesel generators in the hills cycling 24/7 and lists of customers in the clubs down south. By 2005, with increasingly skilled production, the price was cresting between $2,500 and even $3,000 a pound for the grower. These days, in San Francisco and LA (the latter still fractious legal terrain), perfectly grown and nicely packaged indoor pot—four grams for $60, i.e., $6,700 a pound—can be inspected with magnifying glasses in tastefully appointed salesrooms.

The age of Obama saw Attorney General Eric Holder tell the DEA to give low priority to harassment of valid medical marijuana clubs in states—fourteen so far, plus Washington, DC—that give marijuana some form of legality. On March 25, California officials announced that 523,531 signatures—almost 100,000 more than required—had been validated in support of an initiative to legalize marijuana and allow it to be sold and taxed, no small fiscal allurement in this budget-stricken state. The initiative will be on the November ballot. Various polls last year indicated such a measure enjoyed a 55 percent approval rating.

People reckon legalization is not far off and spells the end of the thirty-year marijuana boom. The local weekly, the *North Coast Journal*, has made a somewhat comic effort to construct a silver lining for the county. It talks hopefully of branding the Humboldt "terroir," of tours of "marijuanaries." Dream on. Down south there's more sun, more water and very capable Mexicans ready to tend and trim for $15 an hour. The smarter growers reckon they have two years at most. Here on the North Coast the price of marijuana will drop, the price of land will drop, the trucks will stop being late-model. There'll be less money floating around.

The New Deal began with an end to prohibition of the sale of alcohol across the United States. The individual small producers of bourbon—some good, a lot awful or downright poison—shut down, and the big liquor producers took over, successfully pushing for illegalization of marijuana in 1937. How long will the small producers of gourmet marijuana last before the big companies run them off, pushing through the sort of regulatory "standards" that are now punishing small organic farmers? ■

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Katha Pollitt

Papal Indulgences

My favorite moment of the whole child abuse scandal in the Catholic Church was when Father Klaus Malangré suggested that Peter Hullermann, the redoubtable German pedophile priest, might be sent to work in a girls' school. No boys, no molestation. Or, in churchly language, no occasion of sin. Problem solved! Plus, the good father would spend his life warding off female cooties. Malangré must not have heard about priests—and they do exist—who abused both male and female children. Nor had he learned the lesson of Watergate: the cover-up is worse than the crime.

The church has yet to learn that lesson. There is a positively Nixonian smarmy truculence in the response of church hierarchs to the ongoing scandal, which now involves Pope Benedict XVI himself. On Palm Sunday, New York Archbishop Timothy Dolan urged worshipers at St. Patrick's Cathedral to show "love and solidarity for our earthly shepherd now suffering some of the same unjust accusations, shouts of the mob and scourging at the pillar, as did Jesus." On his blog, Dolan explains that what gets Catholics angry is not just the molestations themselves but also that "the sexual abuse of minors is presented as a tragedy unique to the Church alone." Oh, really? Does the name Mary Kay Letourneau mean nothing to him? This man needs to read the tabloids, which have for years featured an endless parade of molesting teachers, doctors, dentists, therapists and scout leaders. To go by the news, looking at child pornography on one's office computer is so common, it's a wonder anyone finds the time to abuse real kids. At this late date I doubt anyone is unaware that the sexual abuse of children is a widespread phenomenon.

The difference is, when other professionals who work with children are caught out, justice takes its course. People are fired. Licenses are lost. Reputations are ruined. Sometimes jail is involved. No human institution is perfect, and it would be foolish to suggest that incidents are always investigated and that abusers who don't happen to be priests are never protected by colleagues or superiors. Still, it's probably safe to say that if a principal was accused of overlooking a child molester in his classrooms or recycling him to other schools, nobody would compare his suffering to Christ's.

And nobody would be asking for his views about sex, reproduction, women, homosexuality or healthcare either. The moral authority granted the Catholic Church in the secular world is for me the most repellent aspect of the current crisis. In the succinct words of Jodi Jacobson, editor of RHRealityCheck.org, "Why is a pedophilia-ridden, pedophilia-hiding, child-abusing Church allowed to write laws controlling women's rights?" To which one might add: what gives a church in which celibacy is equated with holiness, in which males have almost all the power, the right to a place at the table where laws are made about women's bodies? The same institution that has dealt so indulgently with its ordained pedophiles had no problem excommunicating a Brazilian mother who sought an abortion for her 9-year-old daughter, raped and impregnated with twins by her stepfather, or pushing for laws in El Salvador, Nicaragua and Chile banning abortion even to save the woman's life.

Most Catholics take a flexible view of the church's teachings on sexuality. They use birth control—how else could Italy, Spain and Poland have among the lowest birthrates in the world? They divorce and remarry, use condoms to prevent STDs, undergo in vitro and other banned fertility treatments and even have abortions. Yet there were the bishops, holding the whole healthcare reform bill hostage to their opposition to abortion rights, advising on the crafting of language right in the halls of Congress. And as Jacobson details, it was the Conference of Catholic Bishops that worked alongside Republican Congressmen Chris Smith, Joe Pitts and Mike Pence to insert last-minute language denying HIV-positive women access to contraceptives and favoring abstinence-only-until-marriage policies in the 2008 President's Emergency Plan for AIDS Relief.

There isn't much that non-Catholics can do to force the church to abandon its 2,000-year-old misogynistic ways. We can't force it to ordain women and married men, or value a woman's life over a fertilized egg, or see homosexuality as something other than, in Pope John Paul II's memorable words, "intrinsic moral evil." Catholics themselves will have to do that, whether by leaving the church in numbers large enough to get the bishops' attention or by organizing within it, like Catholics for Choice, Women-Church Convergence or the international group We Are Church. But certainly the rest of us can demand that the Obama administration, Congress and government generally stop catering to the Vatican. The bishops can't even make their own flock obey their outmoded and cruel rules and regulations, so why should they exercise power over the entire country? The United States should not have an ambassador to the Holy See in Rome any more than it has an ambassador to the Diocese of Canterbury or the Satmars of Williamsburg, Brooklyn. And if the church wants to interfere with the making of laws, it should lose its tax-exempt status.

In February Bishop Margot Kaessmann, the first woman to head the German Protestant Church and a much-admired public figure, was caught running a red light while intoxicated. There was a lot of sympathy for her, even in the conservative media, which disagreed with her liberal and antiwar views, and she received the support of the church's governing body. Nonetheless, within four days Kaessmann resigned, saying that her moral authority had been so compromised she could no longer do right by her high office. Maybe Pope Benedict and his bishops could learn something from her example. ■

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REACHING ZERO

JONATHAN SCHELL

What is the purpose, if any, of the nuclear bomb, that brooding presence that has shadowed all human life for sixty-five years? The question has haunted the nuclear age. It may be that no satisfactory answer has ever been given. Nuclear strategic thinking, in particular, has disappointed. Many of its pioneers have wound up in a state of something like despair regarding their art. For example, Bernard Brodie, one of the originators of nuclear strategy in the 1940s, was forced near the end of his life to realize that "nuclear strategy itself—the body of thoughts that he himself had helped formulate—was something of an illusion," according to historian Fred Kaplan. In the introduction to *The Evolution of Nuclear Strategy*, Lawrence Freedman airs the suspicion that the phrase "nuclear strategy" may be a "contradiction in terms." Henry Kissinger, a leading figure in nuclear strategizing for a half-century, has expressed a similar feeling of futility. In a remarkable reconsideration, amounting to an oblique recantation of his past thinking, he has written recently in *Newsweek*:

> The basic dilemma of the nuclear age has been with us since Hiroshima: how to bring the destructiveness of modern weapons into some moral or political relationship with the objectives that are being pursued. Any use of nuclear weapons is certain to involve a level of casualties and devastation out of proportion to foreseeable foreign-policy objectives. Efforts to develop a more nuanced application have never succeeded, from the doctrine of a geographically limited nuclear war in the 1950s and 1960s to the "mutual assured destruction" theory of general nuclear war in the 1970s.

Now a new moment, full of fresh promise but also with novel perils, has arrived in the nuclear story, and all the old questions have to be asked again. As if responding to some secret signal sent out by a restless zeitgeist, the globe is seething with events large and small in the nuclear arena. Here in the United States, certainly, all the policy pots on the nuclear stove are at a boil. Soon, the Obama administration will complete its overdue Nuclear Posture Review, a statement that Congress requires of the president every four years on the disposition of the country's nuclear forces.

It will give the administration's answer to the key questions: What nuclear forces should the United States deploy? Why? What, if anything, does the United States propose to do with them? On April 8 the United States and Russia will sign a new Strategic Arms Reduction Talks (START) agreement, which will reduce warheads to 1,550 on each side and restrict delivery vehicles to 800 apiece. Also in early April, President Obama will hold a Nuclear Security Summit with the heads of state of forty-four other nations to consider measures to prevent the diversion of nuclear weapon materials into unauthorized hands. In early May will come the nuclear Non-Proliferation Treaty Review Conference, which is a kind of nuclear posture review for the entire world. Decisions on passage of the long-rejected Comprehensive Test Ban Treaty as well as a resurrected Fissile Material Cutoff Treaty are also likely very soon.

The key question, of course, is whether the policies and actions will meet the mounting perils of the new situation. What's needed for success, I will suggest, is a revival precisely of the discredited art of nuclear strategic thinking, which may, with suitable adjustments, yet have something to offer us. Strategy, military thinkers have long told us, is the art of marrying up tactical means with broad political ends. That is exactly what is most sorely missing in nuclear policy today. Certainly, no mere piecemeal examination will suffice. A comprehensive approach is needed.

The Nuclear Surge

For taken together, the dangers mark the world's arrival at a new stage in the evolution of nuclear danger, forcing fundamental decisions on nuclear and nonnuclear powers alike. In a word, the nuclear predicament is coming of age, which is to say that it is fulfilling a potential that every competent scientist has known it possessed since the advent of the bomb in 1945: nuclear technology, no longer the preserve of a few privileged powers, is becoming available on a global basis. This is because of the simple but decisive fact that the bomb is based on scientific knowledge, which is in its nature unconfinable. This spread is at the heart of the growing nuclear peril—a kind of nuclear surge—in today's world.

To say that the technology is becoming available to all, however, is not to say that it is possessed by all or even that it will be. It means only that if nations or others want it, they will be able to have it. Japan, for example, does not have a nuclear bomb. But one is available to Japan in short order if it so chooses. According to the State Department, the bomb is thus available to some fifty other countries. This number of potential nuclear powers is destined to grow. If those countries do not build the bomb, the reason can only be a domestic and international political deci-

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sion that they should not. The more this availability spreads (as it must), the higher and stronger the political barriers against proliferation must become.

Of course, at a certain point, which may not be far off, availability, if not possession, will spill beyond national confines and reach smaller groups. At that point the political walls will have to be high and strong indeed. Otherwise, a nuclear 9/11 may be upon us.

Obviously, any deliberate spread of nuclear technology, such as the "renaissance" of nuclear power that has apparently begun, will only accelerate the surge.

This underlying and irreversible pressure of availability is the backdrop for today's widespread and well-founded dread that proliferation by just a few countries—above all, North Korea and Iran—will push the world over what the International Commission on Nuclear Non-Proliferation and Disarmament, a group set up by the Japanese and Australian governments, calls a "tipping point," precipitating a "cascade" of proliferation that will wash away the current nuclear order. South Asia has of course already gone nuclear, with India and Pakistan engaged in an arms race. India, aping the United States, has planned a triad of air, land and sea nuclear forces while impoverished, crisis-ridden Pakistan struggles to keep up.

The Middle East and East Asia, led by Iran and North Korea, could become the next regions to travel down this path. According to the *Washington Post*, A.Q. Khan, the "father" of Pakistan's bomb and the arch-proliferator of its nuclear technology, has said that Iranian officials asked him in the 1980s to sell them ready-made bombs. Since then Iran has appeared to many to be using its right to develop nuclear power technology as a pathway to building the bomb from scratch. If it does, other countries in the Middle East may well follow suit. More immediately, Iran and nuclear-armed Israel would find themselves in a perilous balance—or rather, extreme imbalance, since Israel already has an undeclared arsenal of perhaps 200 warheads. If North Korea, which already has the bomb, refuses, as seems likely, to give it up under pressure from the world community, then something similar could happen in East Asia, and Japan might indeed produce its own bomb.

And yet if it's tempting to some in the United States and elsewhere to define the new nuclear moment solely as a crisis of proliferation, they should be brought up short by a single brute fact: more than 95 percent of the world's 23,000 or so nuclear warheads remain in the possession of two countries: the United States, with some 9,000, and Russia, with some 13,000.

If one ineluctable truth of Year 65 of the bomb is that the sources of nuclear danger are destined to be global, another is that the world's existing arsenals are likewise indivisibly global. They are joined in a kind of unity of hostility. Each nuclear nation (Israel, which has no nuclear adversary, may be the odd man out) cites the arsenal of another or others as the rationale for possessing its own, in multiple chains that link them together into a network of threats and counterthreats. For example, in one such chain, Pakistan fears India, which fears China, which fears Russia, which fears the United States. This network of terror and counterterror underscores another truth of the nuclear age: every possessor of the bomb, by its very existence, teaches possible proliferators a pair of lessons that are the prime (if not the only) motives for proliferation. First, you will be living in a nuclear-armed world; second, if you want to be protected in that world you must have nuclear arms yourself. (In addition, it has of course occurred to many countries, especially North Korea and Iran, that nuclear weapons could deter overwhelming conventional power such as that possessed by the United States.) From national points of view, each arsenal is distinct, but from a global proliferation point of view they are a joint inducement for the further spread of nuclear arms.

The necessary conclusion is clear: proliferation can't be stopped unless possession is dealt with concurrently. In the seventh decade of the nuclear age, the time for half-solutions is over. The head of state with his finger on the button of some aging cold war arsenal, the head of state itching to put his finger on such a button, the nuclear power operator, the nuclear smuggler and the terrorist in his hideout dreaming of unparalleled mass murder are actors on a single playing field. In this respect, too, the nuclear dilemma has become indivisibly global.

This is a truth, however, that the world's nine nuclear powers do not like to acknowledge, because it has an implication they are reluctant to accept, which is that if they want to be safe from nuclear danger they must commit themselves to surrendering their own nuclear arms.

Strategic Incoherence

And yet that is exactly what Barack Obama did in his speech in Prague on April 5, 2009, saying, "So today, I state clearly and with conviction America's commitment to seek the peace and security of a world without nuclear weapons." Encouragingly, his commitment has been accompanied by the widest support for nuclear abolition since President Harry Truman sent Bernard Baruch to ask the world in 1946 to choose between "the quick and the dead." For one thing, a remarkable phalanx of former and current officials, Republican as well as Democratic, have embraced the goal. Their calls originated with the by-now-famous article by the "Gang of Four"—former Secretary of State George Shultz, former Secretary of Defense William Perry, former Secretary of State Henry Kissinger and former Senator Sam Nunn—who in a January 2007 *Wall Street Journal* article announced their support for "a world free of nuclear weapons" and called for "working energetically on the actions required to achieve that goal." This unlikely foursome harked back to the previously underappreciated fact that Ronald Reagan and Mikhail Gorbachev, at their summit in Reykjavik, Iceland, in 1986, had come within an ace of agreeing to nuclear abolition. (The deal foundered because Gorbachev would agree to it only if Reagan dropped his Strategic Defense Initiative, and Reagan would not.) Today, a majority of former secretaries of state and defense support a world free of nuclear weapons.

A remarkable number of new government and civil panels, commissions and other initiatives have also sprung up to sup-

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port the goal. Among them is a new group, Global Zero, which proposes abolition by 2030 and is supported by a Who's Who of international as well as American signatories, including, for example, Gorbachev, Jimmy Carter and former GOP Senator Chuck Hagel. The Carnegie Endowment for International Peace, the Henry L. Stimson Center and the Nuclear Threat Initiative all have serious, well-funded programs to scout the path to zero and determine what would be required to stay there. Meanwhile, the traditional antinuclear movement, led by such groups as Peace Action, the American Friends Service Committee and the Lawyers' Committee on Nuclear Policy, are marshaling support for a nuclear weapons convention.

If Obama's commitment to abolition and the movement in support of it were setting the tone and agenda of current nuclear negotiations, the world might now be in the first stage of a final solution (to give that dread phrase a new and positive meaning) of the nuclear dilemma. Each proposal in the negotiations would be weighed in the light of the distance it traveled toward a nuclear-weapons-free world. Unfortunately, that has not been the case. Instead, what have been offered are at best a series of timid makeshifts or, at worst, de facto subversion of the Prague objective. If this trend continues, it is entirely possible that the ultimate mockery will occur: nuclear arsenals will march forward into the future under a banner that reads Ban the Bomb.

Let us consider two policy arenas: the START agreement and the Nuclear Posture Review.

Nothing on the nuclear stage today is stranger or less adequately explained than the spectacle, still on view twenty years after the end of the cold war, of the United States and Russia holding each other hostage to nuclear annihilation with arsenals in the thousands poised on alert. The current agreement, which will remain in force until 2020, sets a ceiling of 1,550 warheads on each side that must be reached by 2017. The reduction from the old ceiling of 2,200 is of course welcome. The continuation of a system of inspections is even more welcome. But what are we to make of the 1,550 warheads that remain? After all, the limit *on* the 1,550 is also a permission *for* the 1,550. The arrangement indefinitely leaves intact the essential fact that the United States and Russia are poised to blow each other up many times over, as if the cold war had never ended. What is that about?

If strategy is the art of using tactics to achieve political ends, then the persistence of these arsenals represents its nemesis. What political purpose is served? There is no quarrel between the two nations that would justify deployment of even a single nuclear weapon. An answer is often made that the United States must have such an arsenal because Russia still does—as a "deterrent." But this begs the question. For today, as in the past forty years, since the beginning of arms control agreements in 1972, the size of the US arsenal has of course been a negotiated figure. The question is not, as is sometimes pretended, whether in the face of a Russian threat the United States needs to protect itself and size its forces accordingly; it is what figure the two sides should jointly set in talks like the ones just concluded. What stopped Hillary Clinton when she went to Moscow from proposing a force on each side of, say, 300 weapons, as has been suggested by a prominent Air Force officer and two Air University professors recently in *Strategic Studies Quarterly*? For that matter, why not zero? That step admittedly would require bringing the other nuclear powers into the talks. But why not do that—or at least set a time frame for doing so, thereby explicitly linking the current agreement to the president's announced goal?

It is here that the strategic deficit becomes most glaring. It's not just that tactics have lost contact with political goals, it is that nuclear tactics (in this case, deployments) are weighed *without any reference to politics whatsoever*. Admittedly, the possibility of Russia backsliding into hostilities with the United States is sometimes cited as a reason for strategic "hedging," but the obvious next question is whether the United States would prefer to be in a nuclear confrontation with a backslid Russia or in a merely conventional confrontation. Has Washington decided that in case of any hostilities nuclear confrontations are preferable to nonnuclear ones?

Behind this issue looms a larger unasked strategic question. Are nations in general safer when they aim nuclear weapons at one another ("deter" one another)? Are some pairs safer and others not? Which ones? For example, do Americans think India and Pakistan were wise in 1998 to jointly go nuclear and threaten each other with annihilation? Are they safer today for having taken that step? The refusal of the United States and Russia to show the way by denuclearizing their own relationship is an answer that speaks louder than the Prague commitment and undercuts it. That refusal says that nuclear weapons *are* useful and *do* make you safer. But this lesson cuts the legs out from under any serious nonproliferation effort. Wasn't the need for nonproliferation where we began? Isn't that now the main professed goal of the United States in the nuclear field? Here is strategic incoherence in its acutest form. Deployments to meet a vanished threat spoil any effort to deal with a current real one.

What we have heard so far of the Nuclear Posture Review exemplifies the same intellectual debacle. Reportedly, the document will reject the proposal for "no first use." No first use is the policy of using nuclear weapons only in retaliation for nuclear attacks. All other attacks, including ones with biological or chemical weapons, would be met by conventional forces.

The rejection of no first use would crystallize, as perhaps nothing else can, the strategic disarray of American nuclear policy. Like the persistence of the forces of mutual assured destruction, it would represent the banishment of politics from strategy (meaning in fact that strategy no longer *is* strategy). The first-use policy was born in the 1950s, when US leaders believed they could deter perceived Soviet conventional superiority in Europe only by threatening a nuclear response. Is it really necessary to state once again that the cold war is over? Apparently it is, because in this arena, too, news of the geopolitical revolution of 1989–91 has yet to reach the American strategic brain. There, "extended deterrence" seems to be permanently planted on the basis of a kind of incurable nostalgia for the cold war. Fantastically, surreally, the United States is still using nuclear arms to repel a Russian conventional attack on Europe, as if it were 1958. (We might as well say "Soviet

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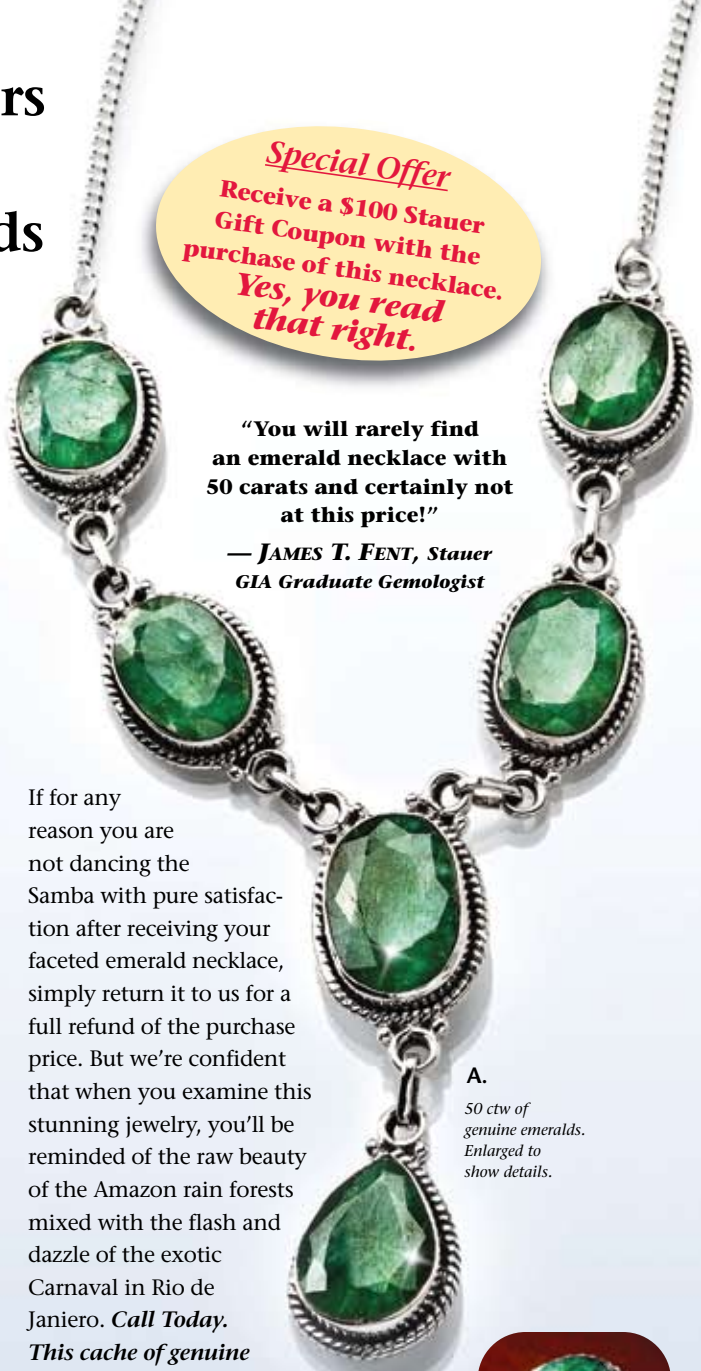

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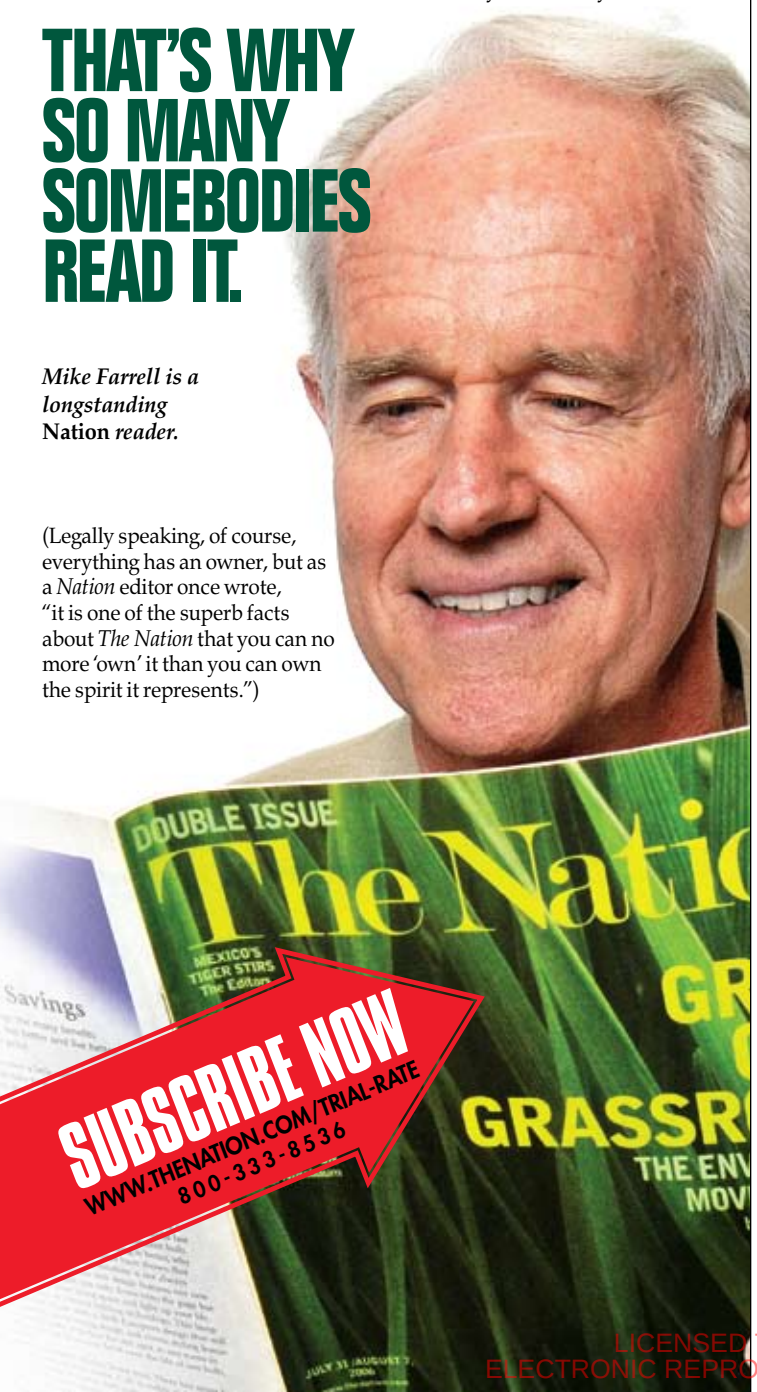

attack," since the threat is imaginary.) This obsolete readiness is symbolically embodied in the deployment even today of some 200 American tactical nuclear warheads in Europe, ready at a moment's notice to repel Soviet hordes coming through the Fulda Gap. In February, five of the European countries thus "defended" (Belgium, Germany, the Netherlands, Luxembourg and Norway) recommended that the weapons be withdrawn. Washington is still thinking about it.

More important for today's concerns is that a no-first-use policy is the sine qua non of any effective nonproliferation strategy. If nuclear weapons are needed not only to counter other nuclear weapons but to repel conventional, chemical and biological attacks as well, then what responsible national leader can afford to do without them? The problem is not merely symbolic. If the nine nuclear powers are ready to use their arms to perform a grab bag of tasks, then the dangers to nonnuclear countries really do multiply, perhaps inspiring them to acquire these devices, evidently so versatile and useful, for themselves.

Toward a New Nuclear Strategy

To escape from this scene of halfhearted and ineffectual measures serving unclear or contradictory goals, the United States needs new strategic thinking. In exploring what it should be, perhaps it will be useful to look back at past strategic thought.

The great intellectual artifact of cold war strategy was the doctrine of nuclear deterrence. It adopted a new aim for military deployments. In the renowned words of Bernard Brodie in 1946, "Thus far the chief purpose of our military establishment has been to win wars. From now on its chief purpose must be to avert them. It can have almost no other useful purpose." This insight, which was recognized as a basis of policy in the early 1960s by Defense Secretary Robert McNamara, marked a true revolution in military affairs. Broadly speaking, war-fighting strategies were replaced by war-not-fighting strategies. Not to fight, according to this policy, was to win. And yet under this policy the way not to fight was nevertheless to plan to fight. The trick was to restrict the plan for fighting to nuclear retaliation, in the hope that that day would never come. Thus was born the paradoxical, or contradictory, policy on which survival in the nuclear age was believed to rest. Safety from nuclear destruction depended not on getting rid of the arms that threatened it but on threats to inflict that same nuclear destruction.

In retrospect, it seems the doctrine of deterrence has been a true Janus: it has been based on one thoroughgoing absurdity and one profound truth. The absurdity was the idea that you could lastingly and reliably avoid an action—mutual suicide in a nuclear war—by threatening the action. The problem, as many critics noted, was that at any given moment—but especially in a crisis—you did not know whether you would get the nuclear non-use that was the new strategic goal or the use whose threat was the tactical means to achieve the non-use. Strategists and moralists twisted and turned in the coils of this dilemma, even as the world lived (as it still technically lives) on the knife-edge of catastrophe. Moralists pondered the virtue

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of threatening a crime in order not to commit it; strategists wondered how a threat of "suicide" (McNamara) could be "credible" to the one so threatened. None of them found answers, yet the policy became so deeply ingrained in policy circles that today people refer to the American nuclear arsenal as "our deterrent," as if the hardware and its alleged purpose were one.

And yet the doctrine did also rest on one profound truth—its acknowledgment that "nuclear war cannot be won and must never be fought," as Reagan and Gorbachev put it in 1985. Implicit in this revolution in military affairs was a strategic revolution. The political gains that governments had pursued through wars were given up, now replaced by a need to preserve the peace, which itself became the only sane strategic objective. You might say that deterrence has pursued a sane goal by insane means—a cleavage manifested in the fact that even as deterrence fought off nuclear use, and in a certain sense fortified what has been called the "nuclear taboo" and the "tradition of non-use," it at the same time pinioned the world permanently on the brink of such use.

Is it then possible that abolition can be seen as a rectification and completion of the strategic revolution begun but left unfinished by deterrence? How great, after all, would be the shift from the strategic goal of "non-use," or the "tradition of non-use," to the strategic goal of "nonpossession," to a "tradition of nonpossession"? Doesn't non-use in a way already cast nuclear weapons on history's scrap heap?

It is a peculiarity of deterrence that the weapons themselves, rather than political developments, dictate the strategic aim (non-use). In its pathological form, this peculiarity leads to the divorce of deployments and posture from politics that we see now. But in the benign form of abolition, the strategy dictated by arms and the strategy dictated by policy would coincide. Both would say, with the new Henry Kissinger: there is no quarrel in the world worth a nuclear war, so don't fight one or arm yourself to do so.

The conclusion is strengthened when you recall that even at zero, deterrence does not melt away completely. The reason is that the roots of the nuclear dilemma lie in inextinguishable advances in scientific knowledge. For even as this knowledge could permit cheaters to violate an abolition agreement, so it would permit the international community to respond in kind. The point is not to propose overelaborate schemes of nuclear rearmament if a crisis were to occur at zero (the conventional forces of the threatened international community would surely suffice) but to point out that there is no sharp discontinuity, as is often suggested, between the "minimum deterrence" represented by, say, a few hundred weapons and zero. Rather there is a smooth continuity all the way to zero, and even beyond, as political and legal as well as technical arrangements needed to keep the world at zero gradually strengthened. Unfortunately, technical bans are all in principle reversible. It has been otherwise with a few moral and legal revolutions, including the abolition of slavery, and there is reason to hope that the abolition of nuclear arms would be one of these. When that happened, deterrence would have been left finally and completely behind.

The Architecture of Zero

The needed change is to turn abolition from a far-off goal into an active organizing principle that gives direction to everything that is done in the nuclear arena—in other words, a strategic goal. The indivisible nuclear surge under way in today's world can be mastered only with an indivisible program to defeat it. Let us, then, borrowing from Obama in Prague, take "the peace and security of a world without nuclear weapons" as the new strategic objective—the political goal in the pursuit of which all tactics become the means. That goal has two requisites. The first is getting rid of existing nuclear weapons. The tactical means to that goal are of course negotiations among the nuclear powers. The second requisite is building a system that safeguards the world from the recrudescence of nuclear weapons once they are gone. This system will be the true architecture of zero. The tactical means to that goal are negotiating an ever-tightening web of restrictions imposed on all technology usable for nuclear weapons.

Of the two, the second is more difficult. For while the process of nuclear disarmament will continue for only a limited time, until zero is reached, the architecture of zero must be built to last forever, since the knowledge that underlies nuclear weapons will never disappear. The tactics for reaching this goal only begin with the construction of systems of inspection and enforcement. More important over the long run is building a political and legal order in which the attempt to build a nuclear weapon would be designated a crime against humanity. More important still would be the moral deepening of the taboo.

The art of strategy—so notably absent in today's contradictory mélange of policies—is to combine the measures needed to achieve the two goals into a single, coherent, self-reinforcing plan. Above all, the nonproliferation efforts that are the precursors to an architecture of zero are in mortal need of the united planetary political will that can be created only by a clear, credible commitment to a time-bound plan for abolition to which all nuclear powers are formally agreed. It should take the form of a commitment to create the sort of nuclear weapons convention that the antinuclear movement has long advocated—one that, as noted earlier, seeks to ban all weapons of mass destruction.

To postpone abolition is to postpone nonproliferation. Today arms control and nonproliferation proceed in two parallel negotiating universes—the NPT review on the one side and START talks on the other. The two need to be brought together in a simple bargain that is already implicit in the provisions of the NPT: the nuclear powers will surrender their arsenals on condition that other powers agree not to obtain any.

Such a strategy would build on the truth underlying deterrence doctrine while gradually retiring its absurd features. It would enable nuclear strategy, at last, to catch up with history. It would deliver Russia and the United States from the weapons-forged hostility that politically no longer exists. It would unify the world around a common goal—one already embraced under the NPT by 184 countries and enshrined in their laws. Nuclear states (as long as they persist as such) would be at one with

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nonnuclear states in preventing proliferation, even as they all worked together to put in place the architecture of zero that would make the ban permanent and safe. Finally, the strategy would provide a measuring rod for judging the merit of interim steps, such as START and no first use. They would be judged by the specific contribution they made to reaching the common strategic goal. To give some examples: adoption of no first use by all nuclear powers would be highly valued as a way station toward abolition. In principle at least, nuclear weapons would have been completely retired from use, for if no one strikes first, no one can strike in retaliation—thus no one will strike with a nuclear weapon at all, and no one will threaten to do so.

Arms reductions would, of course, have value as steps toward zero; but the inspection regimes accompanying them would be especially prized, not just for their own sake but because an ever-stronger regime of inspection is a sine qua non of life in a world without nuclear weapons.

Influence would flow from nonproliferation measures to arms control as well. The more nonnuclear-weapons states accepted stringent inspections, the more they permitted transparency of their nuclear facilities and the more they accepted restrictions on withdrawal from the NPT, the more ready would the nuclear powers be, less afraid now of cheating, to surrender their arsenals.

What would nuclear weapons then be for? They almost tell us themselves. "We are here," they say, "to abolish ourselves, and—a big bonus—to put up a barrier to major power war forever after into the bargain. For even after you are rid of us, we will hover in the wings, as a potential that cannot ever be removed." The bomb is waiting for us to hear the message. It has been waiting a long time. If we do not, it can always return to what has always been its plan B, and abolish us. ■

Nowhere to Hyde

The healthcare reform debate exposed the weakness of the prochoice movement. What now?

by SHARON LERNER

The months of debate and politicking around the healthcare overhaul provided a glimpse of the political strength of the prochoice movement that hasn't been possible for years. The picture that emerged wasn't pretty, as supporters of choice found that they don't have the influence many assumed they did. Almost as soon as the reform process began, abortion rights became a bargaining chip. And after the frenzied horse-trading that finally produced a law, women across the country were left with less access to the procedure and a seriously weakened power base from which to protect and advocate for abortion rights.

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"It's an enormous setback," says Laurie Rubiner, vice president for public policy for the Planned Parenthood Federation of America.

How did an invigorated prochoice movement, still pumped up from Democratic victories in 2008, wind up shafted?

For many, the loss was as unexpected as it was disappointing. Obama's election had instilled a sense of political safety. For the first time since Bill Clinton was in office, there was a Democratic majority in both houses and a prochoice president. After the dark period of the Bush years, when prochoice advocates' best hope was to minimize their losses, long-shelved goals suddenly felt possible. The most optimistic set their sights on getting rid of the Hyde Amendment, the 1976 provision that forbids the use of federal funds to pay for abortion in most cases.

"Many of us in the reproductive justice community were looking for a huge leap forward with Obama," says Lois Uttley, co-founder of Raising Women's Voices, a national initiative devoted to making sure women's concerns are addressed by healthcare reform. "We really hoped that we might actually be able to make some progress in overturning Hyde."

Because of Hyde, poor women in most of the country have had to scrounge for the money to pay for abortions (though seventeen states now have laws allowing Medicaid dollars to be spent for most medically necessary abortions). While the majority of poor women who can't get Medicaid to pay for their abortions still go through with the procedure, somewhere between 18 and 37 percent continue their pregnancies, according to research by the Guttmacher Institute, an organization that does research and policy analysis on reproductive health.

Yet, in the past year and a half, instead of abolishing Hyde and convincing the country that current policy amounts to discrimination against poor women, Uttley and others wound up looking on in dismay as Obama's top legislative priority, healthcare reform, ensnared and ultimately set back abortion rights generally—and funding for abortion in particular. In order to win the support of antichoice Democrats and save the bill, the Obama administration embraced the principle of Hyde, signing into law a bill that, in the words of Planned Parenthood president Cecile Richards, "goes far beyond current law by placing unreasonable burdens on those who want to either offer

Sharon Lerner, who writes frequently on women's issues for The Nation, *is the author of the new book* The War on Moms: On Life in a Family-Unfriendly Nation *(Wiley).*

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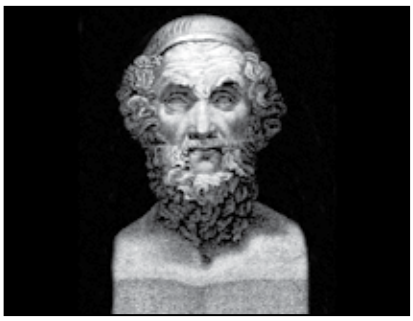

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or purchase private health insurance coverage for abortion." Desperate to keep healthcare reform alive, even prochoice groups found themselves defending the public-funding ban they so despised. "The most damaging thing about healthcare reform is that even our prochoice leadership has been, through no fault of their own, reinforcing Hyde," says Laura MacCleery, director of government relations and communications for the Center for Reproductive Rights.

The compromise on abortion coverage that became law was only slightly less odious than the Stupak Amendment, which, to the horror of prochoicers, passed the House in a 240-194 vote on November 7, and would have prevented any health plan that receives federal money from paying for abortions. Politically, the Stupak vote laid bare the fact that there simply aren't enough people willing to go to bat for abortion in Congress. The resounding vote count, coming late on a Saturday evening after hours of back-room scheming, was no surprise to Washington insiders on both sides of the issue. They already knew what would soon become plain to everyone else: a Democratic majority is not the same as a prochoice majority. And many Democrats who entered Congress in the past few elections not only oppose abortion but will work as a bloc to stand in its way.

The Democratic majority in the House was largely won by embracing socially conservative candidates, including opponents of abortion.

In fact, the Democratic majority in the House that many found so comforting in the last election was largely won by the party's decision to embrace socially conservative candidates, including opponents of abortion. Consider some of the recently elected House Democrats who voted for Stupak. Heath Shuler, who represents western North Carolina and beat a Republican incumbent in 2006, has, along with Bart Stupak, lived in the Washington residence owned by the religious organization The Family. On every occasion possible, Shuler has voted against choice. He even opposed the international distribution of condoms, as did his friend Brad Ellsworth, an Indiana House member who defeated a six-term Republican incumbent and opposes abortion and stem cell research. Then there's Kathy Dahlkemper from Pennsylvania, another Democrat who knocked out a Republican incumbent, in 2008. Dahlkemper has spoken on the House floor about how her own unintended pregnancy shaped her opposition to abortion.

In all, sixty-four House Democrats voted for the Stupak Amendment, most of them representing conservative districts where many constituents are uncomfortable with the notion of public funding for abortion. A 2009 poll conducted by the Pew Research Center suggests that this critical antichoice demographic may be growing. Not only did the poll document less support for abortion overall than in previous years; it also found one of the biggest increases in opposition to be among white, non-Hispanic Catholics who attend Mass at least weekly, a description that fits Bart Stupak and many of his constituents.

Democratic opposition to abortion has traditionally come in what some Congress-watchers refer to as the "Harry Reid model," since the Senate majority leader, though antichoice, has been noticeably levelheaded, willing to work with others on the issue, and clear about his support for contraception and services for women and children. By contrast, after the vote on Stupak, it became clear that some House Democrats were ideologues in the fiery Republican mold, just as hardline as some of their colleagues across the aisle.

Indeed, Stupak managed to wrest the role of chief abortion opponent in healthcare reform from the Republicans, overtaking them in self-serving histrionics and sheer drama (though Randy Neugebauer, a Republican Congressman from Texas, helped Republicans reclaim their rightful position as the party of heckling wackos when he screamed out "Baby killer!" on the House floor as Stupak was defending the reform bill). Stupak insisted that his willingness to hijack the entire healthcare reform process was a matter of principle. But his resistance to efforts to honestly resolve funding questions after his initial stand showed him to be primarily concerned about drawing attention—both to the issue and himself. (Obama played his part in this charade. If his last-minute executive order had any function, it was to be a face-saver for Stupak, who ultimately signed on to reform. Instead of restating what the bill already said, the decree might as well have read: "For Bart Stupak, for being a really important player in healthcare reform. Really.")

The Stupak vote set off a wave of outrage among supporters of choice, spurring Stop Stupak campaigns, a gush of contributions to Planned Parenthood and a primary challenge to Stupak. But the prochoice side did not do much better when the debate moved to the Senate, where another Democrat, Ben Nelson, led the charge to restrict abortion coverage, proposing an amendment requiring any woman who wants insurance to cover the procedure to write a separate check for that premium. The Nelson Amendment also requires health plans to keep funds for abortion separate.

As the final vote neared, prochoice Senators Barbara Boxer and Patty Murray worked hard to keep Stupak-like language completely banning abortion coverage out of the bill, but they couldn't even make a show of being able to stop Nelson. Around this time, Scott Brown had won the special election in Massachusetts, dispensing with the Democrats' supermajority and putting the fate of healthcare reform in serious jeopardy. Though the major advocacy groups raised strong objections to the Nelson language—Planned Parenthood called it "offensive," NARAL Pro-Choice America called it "outrageous" and "unacceptable"—neither advised voting against the bill. While the Catholic bishops had used this strong-arm tactic to bring the Stupak Amendment to a vote in November, prochoicers cared too much about the other parts of the bill that benefit women to put the bill in peril. Moreover, by the time the Senate was voting, it was clear that abortion rights supporters simply didn't have the numbers on their side.

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But if prochoice leaders felt beleaguered, the outcome was not so much a reflection of their loss of influence as a painful public display of their longstanding political weakness. "The conditions that allowed healthcare reform to totally exclude abortion existed before it happened," says Frances Kissling, a visiting scholar at the Center for Bioethics at the University of Pennsylvania, who was president of Catholics for a Free Choice for twenty-five years. "The difference now is that everyone knows we're powerless." Or, as Tanya Melich, a political consultant who has worked on women's issues for thirty years, puts it, "We've never had the votes. And we've always had antichoice Democrats."

Indeed, by some measures the prochoice movement is actually in better shape than it's been in for years. "This is the best vote count we've had in my time here," says Donna Crane, policy director for NARAL, where she has worked for eleven years. "But we're still more than thirty votes short in the House and almost twenty away from a prochoice Senate."

How can we be doing better than ever and yet still so poorly? If you count just those who are strictly pro- or anti-, there are actually forty-one senators who consistently vote in favor of choice in the Senate, versus just forty who consistently vote against it. In the House, there are 203 strict opponents of choice, 185 in favor. But the real battle lies in the middle, the remaining nineteen senators and forty-seven representatives who vote according to the issue at hand. Activists have long known that the abortion war is to be won or lost in this gray area. Abortion opponents have done better in constructing wedge issues, through legislation such as "partial birth" bans and the Stupak and Nelson amendments, attracting lawmakers who are neither firmly pro- nor antichoice but on the fence.

Now, of course, the Nelson Amendment is law. And unless it is mitigated or eliminated through the regulatory process (a possibility that policy experts and lawyers are delving into), it will definitely create hassles for both women and insurers and will probably result in some health plans dropping abortion coverage altogether. Politically, it will likely create a new platform for antiabortion groups, which are expected to push state legislators to ban abortion coverage offered in their state-level exchanges (existing policies outside the exchanges would not be affected).

The new law and the debate that preceded it set back the prochoice movement in subtler ways, too. Among the collateral damage was the delicate effort that had been under way to loosen restrictions on some abortion coverage. Before the healthcare reform debate, prochoicers had been within a handful of votes of overturning a ban on abortion coverage through the Federal Employees Health Benefits (FEHB) plan, making the case that salaries earned by government workers should be considered private dollars. But such a win now seems impossible.

"Whereas before, only direct money was considered federal funds, now even things like government underwriting or government administering of programs are considered public," says Planned Parenthood's Rubiner. "We knew [healthcare reform] gave the antichoice side an opportunity to impose Hyde on everyone, and they went far with it."

How can abortion rights supporters regain the ground they've lost? Part of the usual fix, getting more prochoice lawmakers into Congress, has been complicated by healthcare reform. Traditionally, prochoice PACs enforce their power by supporting only those candidates and lawmakers who support their exact positions. EMILY's List, for instance, contributes to the campaigns of women candidates who vote exclusively prochoice—and almost always drops people who vote for anything that would set back reproductive rights. The fact that the healthcare legislation included abortion restrictions initially put the group in a quandary, but after much discussion it decided not to impose negative consequences on supporters of healthcare reform.

NARAL and Planned Parenthood's Action Fund, which score candidates according to their voting record on reproductive health issues, have decided not to include the final healthcare reform vote in scoring, a decision that reflects the fact that even their most loyal supporters in the House voted for the final legislation. Both groups categorized the Stupak vote as "antichoice." But, even with the antiabortion language, they couldn't judge the final vote the same way. According to Rubiner, this was both because healthcare reform offers so many benefits to the low-income women Planned Parenthood serves and because the Nelson language wasn't as onerous as that of the Stupak Amendment. "Stupak was an outright ban on abortion coverage, period. It was very black and white," says Rubiner. "Nelson, by contrast, sets up a very cumbersome scheme by which insurers can provide coverage, but it doesn't ban it."

In the fight to define healthcare reform, the crucial battleground is swing districts, where sentiment on abortion is murky.

The fight has begun to define the meaning of healthcare reform in the midterm elections—and the crucial battleground is swing districts, where sentiment on abortion is murky. A recent poll conducted for the Susan B. Anthony List, a group that supports women antiabortion candidates, showed that in seven of eight Congressional districts represented by antiabortion Democrats who voted for Stupak, most voters said they would be less likely to support the re-election of their representative if he or she voted for a healthcare bill that included federal funding of abortion. Of course, the healthcare bill doesn't do this—notwithstanding the claims of extreme abortion opponents (à la Randy Neugebauer). So prochoicers have to set the record straight on that score. But abortion rights supporters also have to convey how the new law actually sets those rights back, depriving women of access to a legal medical procedure—an argument that could potentially gain the sympathy of gray-area voters.

It's probably unreasonable to hope for anything more. Yet some advocacy groups, such as NOW and Raising Women's Voices, are aiming higher—pushing to finally roll back Hyde. Given what we've just learned about Congressional backing

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for public funding, such an effort will clearly be a steep uphill battle. Yet you can see why some of the boldest activists think its time has come. With the other side, led by Stupak, having alienated at least some of the public with its extremism, prochoice advocates hope the pendulum of moderates' sympathy will swing their way.

The real policy setbacks of healthcare reform could also serve as the wake-up call for women that prochoicers need. Because the new law will bring about a major expansion of Medicaid, and also because the economic downturn has driven up the number of uninsured, more and more women will soon be in the position of relying on government-subsidized or -provided health insurance. And thus more and more women will likely have abortion excluded from their medical coverage. Advocates are already thinking about how to best harness their discontent. "We'll be trying to convince women to tell their stories about what it means not to have that coverage," says Uttley of Raising Women's Voices. "We think we have a chance. As long as people think it's someone else who won't get coverage, they won't care. Once they realize it's the family next door, the lady who sits behind them in church, then their hearts can be changed." ■

Legitimation Crisis in Afghanistan

A stable government and an end to insurgency are possible—but only if the US withdraws.

by WILLIAM R. POLK

In the media celebration of our "victory" over the Taliban in the Helmand Valley, little attention has been given to the nature of insurgency: the proper tactic of guerrillas is to fade away before overwhelming power, leaving behind only enough fighters to force the invaders to harm civilians and damage property. This is exactly what happened in the recent fighting in Marja. Faced with odds of perhaps 20 to 1, helicopters, tanks and bombers, the guerrillas wisely dispersed. Victory may not be quite the right description.

NEIL SHAPIRO

That battle will probably be repeated in Kandahar, which, unlike the agricultural area known as Marja, is a large and densely populated city. Other operations are planned, so the Marja "victory" has set a pattern that accentuates military action. This is not conducive to an exit strategy—it will not lead out of Afghanistan but deeper into the country. Indeed, there is already evidence that this is happening. As the *Washington Post* reported shortly after the Marja battle ended, not far away "the Marines are constructing a vast base on the outskirts of town that will have two airstrips, an advanced combat hospital, a post office, a large convenience store and rows of housing trailers stretching as far as the eye can see."

Since the Helmand Valley is the focal point of the military strategy, it is important to understand its role in Afghan affairs. The Helmand irrigation project, begun in the Eisenhower administration as a distant echo of the TVA, was supposed to become a prosperous island of democracy and progress. As a member of the Policy Planning Council in the Kennedy administration, I visited it in 1962. What I found was deeply disturbing: no studies had been made of the land to be developed, which proved to have a sheet of impermeable rock just below the surface that caused the soil to turn saline when irrigated; the land was not sufficiently leveled, so irrigation was inefficient; nothing was done to teach the nomad settlers how to farm; plots were too small to foster the social engineering aim of creating a middle class; and since there were no credit facilities to buy seed, settlers were paying 100 percent interest to moneylenders. In short, after the buildup of great expectations, disappointment was palpable.

Was it a portent? It seems likely. At the least, it's striking that precisely where we carried out our first civic action program is where the Taliban became most powerful.

So what should that experience have taught us? That we should learn about the Afghans, their country and their objectives before determining our policy toward them. There is much to be learned, but I will here highlight what I believe are the three crucial issues that will make or break our relationship.

The first issue critical to evaluating US policy is the way the Afghans govern themselves. About four in five Afghans live in the country's 20,000-plus villages. During a 2,000-mile trip around the country by jeep, horseback and plane half a century ago, as well as in later trips, it became clear to me that Afghanistan is really thousands of villages, and each of them, although culturally related to its neighbors, is more or less politically independent and economically autarkic.

This lack of national cohesion thwarted the Russians during their occupation: they won many military victories, and through their civic action programs they actually won over many of the villages, but they could never find or create an organization with which to make peace. Baldly put, no one could surrender the rest. Thus, over the decade of their involvement, the Russians won almost every battle and occupied at one time or another virtually every inch of the country, but they lost about 15,000 soldiers—and the war. When they gave up and left, the Afghans resumed their traditional way of life.

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That way of life is embedded in a social code (known in the Pashtun areas as Pashtunwali) that shapes the particular form of Islam they have practiced for centuries and, indeed, that existed long before the coming of Islam. While there are, of course, notable differences in the Pashtun, Hazara, Uzbek and Tajik areas, shared tradition determines how all Afghans govern themselves and react to foreigners.

Among the shared cultural and political forms are town councils (known in the Pashtun areas as *jirgas* and in the Hazara area as *ulus* or *shuras*). The members are not elected but are accorded their status by consensus. These town councils are not, in our sense of the word, institutions; rather, they are "occasions." They come together when pressing issues cannot be resolved by the local headman or respected religious figure. Town councils are the Afghan version of participatory democracy, and when they act they are seen to embody the "way" of their communities.

Pashtunwali demands protection (*melmastia*) of visitors. Not to protect a guest is so grievous a sin and so blatant a sign of humiliation that a man would rather die than fail. This, of course, has prevented the Afghans from surrendering Osama bin Laden. Inability to reconcile our demands with their customs has been at the heart of our struggle for the past eight years.

As put forth in both the Bush and Obama administrations, our objective is to prevent Al Qaeda from using Afghanistan as a base for attacks on us. We sharpened this objective to the capturing or killing of bin Laden. That is popular with US voters, but even if we could force the Afghans to surrender him, it would alienate the dominant Pashtun community. Thus it would probably increase the danger to us. But it is unnecessary, since a resolution of this dilemma in our favor has been available for years. While Pashtunwali does not permit a protected guest to be surrendered, it allows the host, with honor, to prevent the guest from engaging in actions that endanger the host. In the past, the Taliban virtually imprisoned bin Laden, and they have repeatedly offered—provided we agree to leave their country—to meet our demand that Al Qaeda not be allowed to use Afghanistan as a base. Although setting a withdrawal date would enable us to meet our objective, we have turned down their offers.

The second crucial issue in evaluating our policy is the way the people react to our civic action programs.

Afghanistan is a barren, landlocked country with few resources, and its people have suffered through virtually continuous war for thirty years. Many are wounded or sick, with some even on the brink of starvation. The statistics are appalling: more than one in three subsists on the equivalent of less than 45 cents a day, almost one in two lives below the poverty line and more than one in two preschool children is stunted because of malnutrition. They are the lucky ones; one in five dies before the age of 5. Obviously, the Afghans need help, so we think they should welcome our efforts to aid them. But independent observers have found that they do not. Based on some 400 interviews, a team of Tufts University researchers found that "Afghan perceptions of aid and aid actors are overwhelmingly negative." We must ask why this is.

The reason, I think, is that the Taliban understand from our pronouncements that civic action is a form of warfare. The Russians taught them about civic action long ago, and Gen. David Petraeus specifically proclaimed in his Iraq days, "Money is my most important ammunition in this war." Thus many ordinary citizens see our programs as Petraeus described them—as a method of control or conquest—and so support or at least tolerate the Taliban when they destroy our projects or prevent our aid distribution.

To get perspective on this, it is useful to look at Vietnam. There too we found that the people resented our efforts and often sided with our enemies, the local equivalent of the Taliban: the Vietminh, or, as we called them, the Vietcong. The Vietminh killed officials, teachers and doctors, and destroyed even beneficial works. Foreigners thought their violence was bound to make the people hate them. It didn't. Like the Kabul government, the South Vietnamese regime was so corrupt and predatory that few supported it even to get aid. When we "inherited" the war in Vietnam, we thought we should sideline the corrupt regime, so we used our own officials to deliver aid directly to the villagers.

Once a withdrawal timetable is announced, a fundamental transformation will begin in the political psychology of US-Afghan relations.

It got through, but our delivering it further weakened the South Vietnamese government's rapport with its people.

Is this relevant to Afghanistan? Reflect on the term used by Gen. Stanley McChrystal when his troops moved into Helmand: he said he was bringing the inhabitants a "government in a box, ready to roll in." That government is a mix of Americans and American-selected Afghans, neither sent by the nominal national government in Kabul nor sanctioned by local authorities.

How will the Afghans react to McChrystal's government? President Karzai was at least initially opposed, seeing the move as undercutting the authority of his government. We don't yet know what the inhabitants thought. But we do know that when we tried similar counterinsurgency tactics in Vietnam, as the editor of the massive collection of our official reports, the Pentagon Papers, commented, "all failed dismally."

If we aim to create and leave behind a reasonably secure society in Afghanistan, we must abandon this failed policy and set a firm and reasonably prompt date for withdrawal. Only thus can we dissociate humanitarian aid from counterinsurgency warfare. This is because once a timetable is clearly announced, a fundamental transformation will begin in the political psychology of our relationship. The Afghans will have no reason (or progressively less reason, as withdrawal begins to be carried out) to regard our aid as a counterinsurgency tactic. At that point, beneficial projects will become acceptable to the local *jirgas*, whose members naturally focus on their own and their neighbors' prosperity and health. They will then eagerly seek and protect what they now allow the Taliban to destroy.

If under this different circumstance the Taliban try to destroy

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what the town councils have come to see as beneficial, the councils will cease to provide the active or passive support, sanctuary and information that make the Taliban effective. Without that cooperation, as Mao Zedong long ago told us, they will be like fish with no water in which to swim. Thus, setting a firm and clear date for withdrawal is essential.

This leaves us with the third issue, the central government. We chose it and we pay for it. But as our ambassador, Gen. Karl Eikenberry, has pointed out in leaked reports, it is so dishonest it cannot be a strategic partner. It is hopelessly corrupt, and its election last year was fraudulent; General Petraeus even told President Obama that it is a "crime syndicate." It is important to understand why it lacks legitimacy in the eyes of its people.

For us, the answer seemed simple: a government must legitimize itself the way we legitimize ours, with a reasonably fair election. But our way is not the Afghan way. Their way is through a process of achieving consensus that ultimately must be approved by the supreme council of state, the *loya jirga*. The apex of a pyramid of village, tribal and provincial assemblies, the *loya jirga*, according to the Constitution, is "the highest manifestation of the will of the people of Afghanistan."

Like the Russians, we have opposed moves to allow Afghanistan to bring about a national consensus. In 2002 nearly two-thirds of the delegates to a *loya jirga* signed a petition to make the exiled king, Zahir Shah, president of an interim government to give time for Afghans to work out their future. But we had already decided that Hamid Karzai was "our man in Kabul." So, as research professor Thomas Johnson and former foreign service officer in Afghanistan Chris Mason wrote last year, "massive US interference behind the scenes in the form of bribes, secret deals, and arm twisting got the US-backed candidate for the job, Hamid Karzai, installed instead.… This was the Afghan equivalent of the 1964 Diem Coup in Vietnam: afterward, there was no possibility of creating a stable secular government." An interim Afghan government certified by the *loya jirga* would have allowed the traditional way to achieve consensus; but, as Selig Harrison reported, our ambassador at the time, Zalmay Khalilzad, "had a bitter 40-minute showdown with the king, who then withdrew his candidacy." We have suffered with the results ever since.

Could we reverse this downward trend? If we remove our opposition to a *loya jirga*, will the Kabul government respond? Probably not so long as America is willing to pay its officials and protect them. But if we set a clear timetable for withdrawal, members of the government will have a strong self-interest in espousing what they will see as the national cause, and they will call for a *loya jirga*. Indeed, President Karzai already has.

Would such a move turn Afghanistan over to the Taliban? Realistically, we must anticipate that many, perhaps even a majority, of the delegates, particularly in the Pashtun area, will be at least passive supporters of the Taliban. I do not see any way this can be avoided. Our attempts to win over the "moderates" while fighting the "hardliners" is an echo of what we tried in Vietnam. It did not work there and did not work for the Russians in Afghanistan. It shows no sign of working for us now. As a 2009 Carnegie Endowment study of our occupation and the Taliban reaction to it laid out, even after their bloody defeat in 2001, "there have been no splinter groups since its emergence, except locally with no strategic consequences."

Nor, as I have shown in my history of two centuries of insurgencies, *Violent Politics*, are we likely to defeat the insurgents. Natives eventually wear down foreigners. The Obama administration apparently accepts this prediction. As the *Washington Post* reported this past fall, it admits that "the Taliban cannot be eliminated as a political or military movement, regardless of how many combat forces are sent into battle."

A *loya jirga* held soon is the best hope to create a reasonably balanced national government. This is partly because in the run-up to the national *loya jirga*, local groups will struggle to enhance or protect local interests. Their action will constitute a brake on the Taliban, who will be impelled to compromise. Today the Taliban enjoy the aura of national defenders against us; once we are no longer a target, that aura will fade.

If we are smart enough to allow the Afghans to solve their problems in their own way rather than try to force them to adopt ours, we can begin a sustainable move toward peace and security. Withdrawal is the essential first step. Further fighting will only multiply the cost to us and lead to failure. ■

Letters

(continued from page 2)

finding that Kyriakoudes advised Proctor to "falsify testimony." Also, Kyriakoudes did not withdraw from the case that gave rise to controversy over the Florida grad students; he testified in that case (*Campbell*). He did withdraw from another case, *Hetzner*, but not because of issues of e-mail; he withdrew because the court changed the date of the trial. He signed a notarized affidavit testifying to the fact that he had a scheduling conflict. "I had to teach," he told me.

Grossman argues that the victims in this case are the Florida grad students, and the victimizer is Proctor. That is a distraction from the real issue: the 400,000 US smokers who die of smoking-related diseases yearly and the fact that, as a federal court ruled in 2001, Big Tobacco has "lied, misrepresented and deceived the American public about the devastating health effects of smoking."

Jon Wiener

Laundry Wafting on the Summer Breeze

Everett, Mass.

Re "Ten Things You Can Do to Shrink Your Carbon Footprint" [March 15]: Clotheslines! Clothes dryers are fire risks, expensive to run, noisy and wear clothes out unnecessarily fast. Drying clothes outdoors in summer leaves them smelling wonderful. Drying them indoors in winter humidifies the house.

Mary Hopkins

Good Art, Bad I.D.

The artist for "Who Speaks for Human Rights?" [April 5, page 23] was accidentally misidentified. He is Edwin Vazquez. Our apologies.

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Books & the Arts.

A Conscious Pariah

by NATHANIEL POPPER

Raul Hilberg was known for cultivating enemies. During faculty meetings at the University of Vermont, where he was a professor of political science from 1956 to 1991, the renowned historian of the Holocaust would unfailingly denounce the consensus position, whether it concerned faculty appointments or vacation policy. "He was an intensely stubborn and contrary person," one of his old colleagues told me. In *The Politics of Memory*, an autobiography published in 1996, Hilberg dedicated a chapter to attacking fellow historians whose work he considered derivative or misguided. Among those admonished was Lucy Dawidowicz, a popular Holocaust scholar and author of the emotional bestseller *The War Against the Jews* (1975); Dawidowicz provided "vaguely consoling words" that "could easily be clutched by all those who did not wish to look deeper," Hilberg complained.

But no one who wrote about the Holocaust nettled Hilberg more than Hannah Arendt. Hilberg's anger toward the German refugee and New York intellectual erupted with the publication of *Eichmann in Jerusalem*, in which Arendt told the tale of Adolf Eichmann, the man responsible for implementing the Final Solution, against the backdrop of his trial for war crimes and crimes against humanity. (Eichmann was captured by Mossad agents in Argentina in May 1960. His trial in Jerusalem began in April 1961, and he was executed in May 1962.) Arendt's study was serialized in five installments in *The New Yorker* in the spring of 1963 and then quickly published in book form in May of that year by Viking Press with its now infamous subtitle, "A Report on the Banality of Evil." The work has attained a mythic status. Penguin publishes it in two inexpensive paperback editions—one a "Penguin Classics" and the other a "Great Ideas" version that, with its matte blue-and-white cover, is attractively designed for display next to cash registers as an impulse buy.

Hilberg died in 2007, and among the private papers he left to the University of Vermont library is a box stuffed with materials about his scholarly antagonists. Folders filled with Arendt clippings occupy half of the tightly jammed container. There is also a brown accordion folder holding two crisp copies of each of the five issues of *The New Yorker* in which Arendt's study of Eichmann was serialized. Hilberg was obsessed with Arendt's dispatches because two years before their appearance, with the Eichmann trial under way, he had published his own magnum opus, *The Destruction of the European Jews*, a multivolume work that is still widely considered in scholarly circles to be the first great history of the Holocaust and the cornerstone of Holocaust studies. "No other book will ever be, by my hand, annotated to such a degree," Claude Lanzmann remarked in 1993, eight years after the release of his epic film *Shoah*. "A beacon of a book, a breakwater of a book, a ship of history anchored in time and in a sense beyond time, undying, unforgettable, to which nothing in the course of ordinary historical production can be compared." (Hilberg is the only historian to appear in *Shoah*, which documents victims' and perpetrators' direct experiences of the Holocaust.)

As Hilberg read Arendt's articles about

PRIVATE COLLECTION

A photograph of Raul Hilberg from the jacket of the original 1961 edition of *The Destruction of the European Jews*

Nathaniel Popper is a reporter with the Los Angeles Times.

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Eichmann, he noticed a number of striking similarities to his own research. He tallied them on an accounting spreadsheet stored in the accordion folder with the *New Yorker* issues. At the bottom of the spreadsheet he divided the instances into "cert." and "prob." and penciled hash marks next to each category. Among the flagged passages is Arendt's account of the plight of Bernard Lichtenberg, a Catholic priest in Berlin who was condemned to a concentration camp after speaking out against the deportation of the Jews. Hilberg noted the page on which Arendt's version appeared and next to it wrote, in red ink, "verbatim."

Hilberg had discovered Lichtenberg's story in Nazi foreign office files, and he recounted it in his book in what were, for him, unusually emotional terms: "Dompropst Bernard Lichtenberg of St. Hedwig's Cathedral in Berlin, dared to pray openly for the Jews, including those who were baptized and those who were unbaptized." Arendt told Lichtenberg's tale in the third *New Yorker* installment as a parenthetical aside in the story of a deported minister: "A similar fate befell the Catholic *Dompropst* Bernard Lichtenberg, of St. Hedwig's Cathedral, in Berlin." Lichtenberg, Arendt wrote, "had dared to pray publicly for all Jews, baptized or not." In his book Hilberg footnoted the document from which he drew the anecdote; in *The New Yorker* Arendt gave no indication of her source—one of many similar instances.

> The scale of Arendt's debt to Hilberg's book has remained largely unknown.

In *Eichmann in Jerusalem* Arendt was a little more forthcoming about her debt to Hilberg. The book includes a note on sources in which she describes *The Destruction of the European Jews* as "the most exhaustive and the most soundly documented account of the Third Reich's Jewish policies." There are five quotes in the book followed by a discreet "(Hilberg)," including a few she had not sourced to him in the *New Yorker* series. Still, many facts reported by Hilberg that appeared without attribution in Arendt's magazine pieces remained uncredited to him in *Eichmann*.

Hilberg stopped documenting Arendt's borrowings on his spreadsheet after he read the third installment, but "verbatim" was not his last word about the series. Years later, in a letter also found among his papers, he explained to one of Arendt's biographers, Elzbieta Ettinger, that he had "noticed what she had done as soon as I read the installments in the *New Yorker*." He continued, "A lawyer of my publisher at the time asked me to draw up a list of items she had lifted. I found about eighty, but he also said that I would have to prove that she could not have obtained the information anywhere else. That proof I could not supply, except in such instances as an error of spelling that she had copied." In *The Politics of Memory*, Hilberg dedicated a few pages to Arendt and obliquely mentioned that others had commented on her mostly invisible reliance on his research; he also averred that her work "consisted only of unoriginal essays on anti-Semitism, imperialism, and general topics associated with totalitarianism." Despite his derision, Hilberg declined to publicly air his grievances. As a result, the scale of Arendt's debt to him has remained largely unknown.

Hilberg's indignation, as well as his decision to hold his fire, testify to the complex psychology of a Jewish man whose life had been threatened by the rise of Nazi terror but who managed to escape Europe and the Holocaust and lived thereafter with the resulting burden of guilt and luck. Arendt took a similar path out of Europe and carried much of the same emotional shrapnel. Hilberg and Arendt never met, in part because of his lingering bitterness toward her, but the strands of his research that she wove into her writing are only the most telling instances of the profound ways in which the two thinkers' lives and ideas were intertwined. Both studied the problem of political evil in the twentieth century—Hilberg its social machinery in Nazi Germany, Arendt its origins in political systems like totalitarianism—and wrestled with the dilemma of the Jew in the twentieth century. Perhaps most important, at the core of their books about the Holocaust is a deep disappointment over the lack of Jewish resistance to the Nazis. After the war, both Hilberg and Arendt fashioned themselves as defiantly strong Jews, in contrast with their vision of the weak Jews they had left behind, and yet both remained fascinated by the story of those who were killed.

Raul Hilberg was born in Vienna in 1926, the only child of a cold, stolid mother and a quiet, proud father, whom Hilberg pitied and revered. In his youth Raul was a loner who took up solitary pursuits like geography, music and train spotting. His parents occasionally attended synagogue, but Hilberg was repelled by the irrationality of religion: "Already I was contrary-minded, turning away from religion, which at first became irrelevant to me and then an allergy," he recalled in his autobiography.

After Hitler marched into Vienna during the Anschluss, the Hilbergs were forced out of their apartment at gunpoint. Hilberg's father's spirit was broken after he was jailed; he told his son, "Hitler will put us to the wall." The family set off on a mad dash out of Europe, which ended a year later when they settled in Brooklyn after stopovers in France and Cuba. In 1944 Hilberg enlisted in the Army and ended up serving in a unit that swept through Germany as it was liberated; at one point Hilberg was in the Nazi headquarters in Munich and stumbled across portions of Hitler's private library. Even before he was stationed in Europe, Hilberg had followed the scattered reports telling of the incipient genocide; in 1942 he made contact with an organization that asked him to call Stephen Wise, a leading rabbi in New York City. "What are you going to do about the complete annihilation of European Jewry?" Hilberg asked. Wise, Hilberg later remembered, hung up.

After the war, as a student first at Brooklyn College and then at Columbia, Hilberg was quickly drawn to the academic study of the fate he had escaped in Europe but that many of his relatives had not. "Briefly I weighed the possibility of writing a dissertation about an aspect of war crimes, and then I woke up," he explained in his autobiography. "It was the evidence that I wanted. My subject would be the destruction of the European Jews." He was soon spending long hours in a torpedo factory in Virginia that had been transformed into a repository for countless boxes of captured Nazi archives. Hilberg's decision to study this material was not considered a professionally prudent one at the time, which may seem odd in the current era of Holocaust movies and proliferating Holocaust studies departments. But in the late 1940s and '50s, the genocide of the Jews was a subject ignored in academic circles. History books of the era focused on the cult of Hitler and the Nazi terror but generally did not identify the slaughter of the Jews as a central part of the story of World War II. In the United States, the first college-level course dedicated to the subject of the Holocaust was taught in 1974—by Raul Hilberg. More than twenty years earlier, when Franz Neumann, Hilberg's adviser at Columbia, learned

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By June Fleming

Remember the feeling you had when you drew a hot bath, sat down in the tub, and let the warm water wash away the cares of the day? After the bath, you emerged refreshed, rejuvenated and ready to go. For many people, the luxury of taking a bath has become a thing of the past as age and mobility issues have robbed them of one of life's simple pleasures. Now, the leader in finding innovative products for Boomers and Beyond has found a product that can get you back in the water again, safely and affordably. It's called the Designed for SENIORS® SafeStep Walk-In Tub, and we'd love to tell you about it.

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of his dissertation topic, he quipped, "It's your funeral."

Hilberg's study opens with a bold statement: "Lest one be misled by the word 'Jews' in the title, let it be pointed out that this is not a book about the Jews. It is a book about the people who destroyed the Jews." Hilberg toiled for nearly a decade in the archives of the Nuremberg trials and other collections of recovered German documents. During his last lecture, which he delivered in Vermont just a few months before his death, he recalled the void that engulfed him at the outset of his research. "I was transported into a world for which I was totally unprepared," he explained in his dry, austere manner. "I would read a document, but I would not understand what it meant. The context had to be built record by record."

The material on the Jewish councils, which Arendt drew from Hilberg, ignited a furor.

In Hilberg's telling, the murder of the Jews was not a product simply of Hitler's anti-Semitic rage (as Dawidowicz would later argue), nor was it preordained the moment the Nazi Party coalesced or even by the terror of Kristallnacht. "The destruction of the Jews was an administrative process, and the annihilation of Jewry required the implementation of systematic administrative measures in successive steps." Hilberg presented a staggering picture of the bureaucratic machinery of extermination, which developed slowly over time and inundated every sector of German society—not just the Einsatzgruppen and the SS but also the finance ministry, foreign office and railways; everyone knew what was happening, and everyone cooperated.

Hilberg defended his dissertation in 1955 and submitted it to prominent publishing houses. It was roundly rejected until 1961, when a young press in Chicago, Quadrangle Books, decided to publish the work, printing it in double columns on cheap paper. From there, the massive tome began quietly and slowly to win over admirers. In a glowing review in *Commentary*, the British historian Hugh Trevor-Roper wrote that Hilberg's book was "not yet another chronicle of horrors. It is a careful, analytic, three-dimensional study of a social and political experience unique in history: an experience which no one could believe possible till it happened and whose real significance still bewilders us." Michael Marrus, the foremost historiographer of the Holocaust, says that it is now generally agreed that before Hilberg "there was not a subject. No panoramic, European-wide sense of what had happened. That's what Hilberg provided."

In Vermont, Hilberg embraced the role of the lordly European intellectual: he was a distant and often haughty scholar who favored somber, elegant suits and gave few indications of his personal entanglement with his research. On campus, he was revered for his courses and books (altogether he wrote and edited seven volumes concerning the Holocaust). I was told by Richard Sugarman, a philosophy professor at the University of Vermont who grew close to Hilberg, that "The phrase 'spellbinding lecturer' doesn't do justice to him. Was it a little intimidating talking to him? Sure. He was not a recycled soul—he was an original."

Beyond the mountains of Vermont, however, Hilberg's achievements were generally unknown outside the scholarly community. *The Destruction of the European Jews* is scarcely mentioned in Peter Novick's acclaimed *The Holocaust in American Life* (1999), which chronicles the rise of Holocaust consciousness. For Novick it was not Hilberg but the Eichmann trial and Arendt's reporting on it that "effectively broke fifteen years of near silence." After the trial, Novick writes, "there emerged in American culture a distinct *thing* called 'the Holocaust'—an event in its own right, not simply a subdivision of general Nazi barbarism."

Hannah Arendt was born twenty years before Raul Hilberg, in 1906, the only child of a middle-class European Jewish family. She grew up mostly in Königsberg, and Judaism was not an integral part of her daily life; religious observance was minimal, and anti-Semitic incidents were only an occasional irritant. According to Elisabeth Young-Bruehl's sensitive biography, *Hannah Arendt: For the Love of the World*, Arendt was a moody young woman, particularly after her father died in 1913. She was drawn to books early on, and Goethe was the touchstone of her education. This led her eventually to the universities in Marburg and Heidelberg, where she studied philosophy with Karl Jaspers and Martin Heidegger.

Arendt is now popularly thought of as a nondenominational political theorist. But during the Nazi rise to power, she dedicated herself to Zionist relief organizations trying to help Jews flee Europe. Like Hilberg, an arrest awakened her to the severity of the Nazi regime: in 1933 she was apprehended for collecting documents for a Zionist organization. Also like Hilberg, Arendt directed her fear and anger at the quiescence of those around her. In 1936, when she attended the founding conference of the World Jewish Congress in Geneva, she wrote to her future husband, Heinrich Blücher, that "the Polish Jews will stop our mouths just as the German Jews did three years ago. And in the end we'll all go to hell." She worked with relief groups while planning her own escape from Germany; she reached New York City in 1941 and was soon writing for a number of Jewish publications. In an essay published in the New York German-Jewish newspaper *Aufbau*, she urged, "We can do battle against antisemitism only if we battle Hitler with weapons in our hands."

After the war, Arendt's activism waned as she grew intellectually fascinated with how the Nazis had managed to carry out the Final Solution. An early indication of her interest was a review she wrote for *Commentary* in 1952 of Léon Poliakov's *Bréviaire de la Haine: Le IIIe Reich et les Juifs* (Breviary of Hate: The Third Reich and the Jews), which is generally recognized as one of two minor volumes on the Holocaust published before Hilberg's landmark work. Arendt concluded the piece by underscoring the paucity of writing on the subject: "Research into Nazism, therefore, so frequently minimized today as 'mere' history, is indispensable for our understanding of the problems of the present and the immediate future." For Arendt, covering the Eichmann trial was the perfect opportunity to explore those problems by delving into the psyche of the perpetrators, who intrigued her much more than the victims. As Arendt later told Samuel Grafton, a journalist commissioned by *Look* in the fall of 1963 to write an article about her account of Eichmann's trial and the controversy it sparked, "I wanted to see one of the chief culprits with my own eyes as he appeared in the flesh. When, many years ago, I described the totalitarian system and analyzed the totalitarian mentality [in her study of Nazism and Stalinism, *The Origins of Totalitarianism*], it was always a 'type,' rather than individuals."

Arendt spent weeks in Jerusalem observing the trial, and she left convinced that Eichmann was not a figure of great

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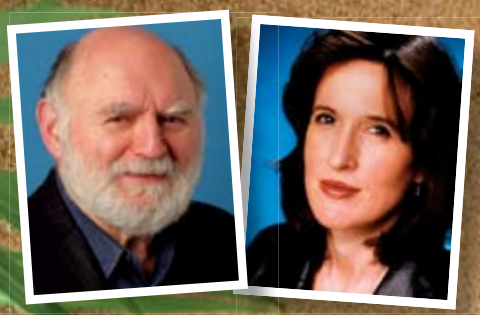

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evil but rather an oddly cheerful, pathetic man whose desire for personal advancement meshed tightly with the gears of the totalitarian machine. In *The New Yorker*, she was critical of the Israeli prosecution and faulted the lead prosecutor for wanting "to try the most abnormal monster the world had ever seen." Unlike the prosecutor, Arendt saw Eichmann not as a monster but a bureaucrat. "The trouble with Eichmann," she said, "was precisely that so many were like him, and that the many were neither perverted nor sadistic, that they were, and still are, terribly and terrifyingly normal."

It is often forgotten that Arendt folded Eichmann's story into a more general account of the Holocaust—the table of contents of *Eichmann in Jerusalem* resembles a timeline of the event—and that this broader context introduced innumerable readers to the idea of the Holocaust. Arendt does not appear to have done research in archives with German documents, and given how little had been written on the subject she had few options when she looked for published sources of background material. There was, of course, one source that contained it all: *The Destruction of the European Jews*.

Arendt's papers show that she had a complicated relationship with Hilberg's work even before she began writing about Eichmann. When she returned to New York from Jerusalem, in August 1961, there was a letter from Quadrangle Books offering a special discount on *The Destruction of the European Jews*. In the copy of the letter in Arendt's files, Quadrangle's president, Melvin Brisk, promised that Hilberg's book would provide a very different picture of Eichmann than the Israeli prosecution had in Jerusalem. "Hilberg shows that Eichmann was a bureaucrat worrying about a thousand details rather than a master planner." Brisk explained, "We make this offer (good only until September 30th) because the Eichmann trial—which is still under way as I write this letter—makes the book doubly important in explaining what happened and why." Arendt replied on August 7, enclosing a check for $14.95.

Brisk's sales pitch was not Arendt's first exposure to Hilberg's book. Two years earlier, Arendt had been asked by Princeton University Press to review the manuscript of *The Destruction of the European Jews*; she advised Princeton not to publish it. In a letter in her archives dated April 1959, which Hilberg himself discovered, Princeton editor Gordon Hubel thanked Arendt for her "invaluable assistance" and tried to assuage any guilt she might have felt about her decision: "after we had rejected this manuscript," Hubel confided, "we learned from Hilberg that he has $10,000 in financial backing toward the publication of this study, so I do not feel that our declining was in any way fatal to its eventual publication." (In the end, a $15,000 donation financed the book's publication by Quadrangle.)

Arendt's evaluation of Hilberg's manuscript is not among her papers. A plausible explanation of why she advised against its publication appears in a 1963 letter she wrote to the German publisher of *Eichmann in Jerusalem*. In it, she says that Hilberg "worked for 15 years only with the sources and if he had not written a very terrible first chapter, in which he did not understand much about German history, the book would be, so to speak, perfect. No one will be able to write about the topic without using it." Arendt reiterated the point the following year in a letter to Karl Jaspers, offering that Hilberg's book "is really excellent, but only because it is a simple report." In his first chapter, Hilberg provides a brief timeline of anti-Semitism in Europe that begins with the Roman Empire under Constantine and ends with the Holocaust. Hilberg's long view of history clashed with Arendt's strong belief that the Holocaust was something entirely new—a product of modern society and the totalitarian system.

But while Arendt belittled some of its conclusions, she clearly recognized what a gold mine the book contained. Her reliance on Hilberg was apparent to Hugh Trevor-Roper, who reviewed *Eichmann in Jerusalem* in the *Sunday Times* two years after reviewing *The Destruction of the European Jews* in *Commentary*. Trevor-Roper postulated that, except for the trial, Hilberg's "masterly study" was Arendt's main source. "She acknowledges her debt," Trevor-Roper wrote, "but the full extent of that debt can be appreciated only by those who have read both. Again and again the arguments, the very phrases, are unconsciously repeated." Trevor-Roper's review was largely forgotten, as was his conclusion that "indeed, behind the whole of Miss Arendt's book stands the overshadowing bulk of Mr. Hilberg's."

Despite her opinion that Hilberg's study was a "simple report," Arendt does acknowledge its quotidian perfection at one point in her book—though, tellingly, in a parenthetical—when describing the arduous task faced by Eichmann's Israeli prosecutors. "The prosecution, it must be admitted, was in a most difficult position in finding its way through this labyrinth of parallel institutions, which it had to do each time it wanted to pin some specific responsibility on Eichmann," she explained, before discreetly adding: "(If the trial were to take place today, this task would be much easier, since Raul Hilberg in his *The Destruction of the European Jews* has succeeded

Morning on the Island

The lights across the water are the waking city.
The water shimmers with imaginary fish.
Not far from here lie the bones of conifers
washed from the sea and piled by wind.
Some mornings I walk upon them,
bone to bone, as far as the lighthouse.
A strange beetle has eaten most of the trees.
It may have come here on the ships playing
music in the harbor, or it was always here, a winged
jewel, but in the past was kept still by the cold
of a winter that no longer comes.
There is an owl living in the firs behind us but he is white,
meant to be mistaken for snow burdening a bough.
They say he is the only owl remaining. I hear him at night
listening for the last of the mice and asking *who* of no other owl.

CAROLYN FORCHÉ

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in presenting the first clear description of this incredibly complicated machinery of destruction.)"

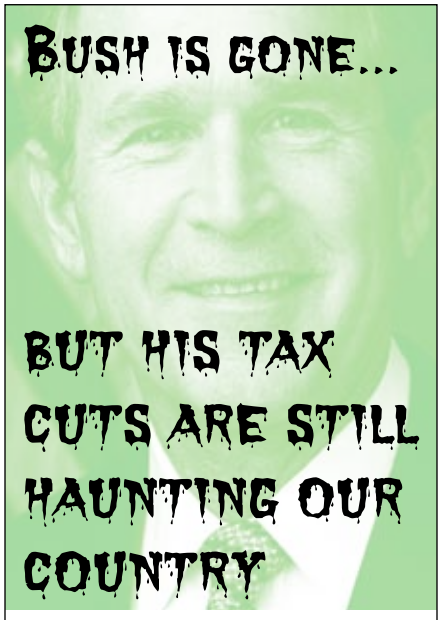
Like *The Destruction of the European Jews*, *Eichmann in Jerusalem* is mostly about the perpetrators. When Arendt does focus on the Jews, her concern is not isolated episodes of heroic resistance or the immense scale of human suffering but rather the Judenräte, the Jewish councils in Nazi-controlled Europe. It was an important matter to investigate. The councils were Jewish municipal administrations that provided basic services to ghettoized Jews and enforced Nazi orders and regulations, including compiling names of Jews for deportation. For Arendt the councils were a big moral question mark. She describes them as frequently willing and self-serving collaborators in helping the Nazis execute the Final Solution. In lines that have been repeated countless times since, she writes, "To a Jew this role of the Jewish leaders in the destruction of their own people is undoubtedly the darkest chapter of the whole dark story." The cooperation of Jewish leaders, she continues, "had been known about before, but it has now been exposed for the first time in all its pathetic and sordid detail by Raul Hilberg."

After this broad acknowledgment, Arendt peppers her account of the Judenräte with mostly unattributed quotations from German documents quoted in Hilberg's book. Her most infamous act of blind borrowing is her provocative, offhand reference to "Dr. Leo Baeck, Chief Rabbi of Berlin, who in the eyes of both Jews and Gentiles was the 'Jewish Führer.'" Jacob Robinson, who was an assistant to the chief prosecutor at the Nuremberg trials, wrote a book attacking Arendt's portrayal of Eichmann in which he zeroed in on the Baeck statement and identified its likely source. Robinson hypothesized that the source "is probably Hilberg, who was careful to note that the expression 'Jewish Führer' applied to Baeck was a casual remark by Eichmann's assistant, Dieter Wisliceny; it was left to Miss Arendt to ascribe the use of the epithet to 'Jews and Gentiles' in general."

Certainly Arendt's ideas about Eichmann and his "banality" were kindling for a fire. But it was the material she drew from Hilberg on the Jewish councils—less than twenty of the nearly 300 pages of her book—that ignited the furor. The implication of her account was that whereas Nazis like Eichmann were merely banal bureaucrats, Jews had experienced a moral collapse during the war by failing to resist totalitarianism. The Anti-Defamation League distributed a letter urging local offices to denounce her, the World Jewish Congress released a pamphlet about the book and multiple Jewish organizations hired researchers to find errors in it. Nearly every Jewish publication in America ran articles attacking her views. Arendt's old friend Gershom Scholem broke with her and wrote a public letter in which he questioned her portrayal of the Jews: "In your treatment of the problem of how the Jews reacted to these extreme circumstances—to which neither of us was exposed—I detect, often enough, in place of balanced judgment, a kind of demagogic will-to-overstatement." Scholem could have been describing Hilberg's account of the Jewish councils—which is not surprising, given that Hilberg was Arendt's source. In fact, Hilberg's fastidiousness regarding the Baeck incident was an exception: he was generally indifferent, sometimes archly so, to the dilemmas faced by Jews in the ghettos. At one point he concludes that "Jews tried to avert disaster: by judicious compliance with orders, and sometimes by anticipatory compliance with orders not yet issued," such as the forced labor program that the Jewish council in the Warsaw ghetto had set up. Where Arendt surpassed Hilberg was in the words of moral opprobrium she flung at several Jewish leaders.

As the negative reviews of *Eichmann in Jerusalem* poured in, Arendt wrote to Mary McCarthy: "One can say that the mob—intellectual or otherwise—has been successfully mobilized." Arendt alleged in another letter, to a reader, that she was an innocent bystander who had been made a scapegoat. But she also recognized that the cause of the furor was her use of Hilberg's Judenräte material. "That I am now in the center of this campaign is almost an accident. Ever since the publication of Hilberg's book, those organizations have been worrying about what to do," she wrote in response to a particularly vicious review of her work by Lionel Abel in the Summer 1963 issue of *Partisan Review*.

Arendt was not happy. She felt her ideas were being trampled by the uproar over *Eichmann in Jerusalem*. She was not without justification. Samuel Grafton noted in the draft of his *Look* article that "according to Viking Press, the book has sold only about 10,000 copies, an extremely small number for a work about which so much has been said. Many who are discussing it have not read it; in a sense the controversy has floated loose from the book, and become a



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phenomenon in its own right." As Grafton's son, the historian Anthony Grafton, explains in his essay "Arendt and Eichmann at the Dinner Table," *Look* ended up killing his father's article because as the contretemps heated up, Arendt grew irritable and stopped cooperating.

Hilberg was not happy either. After toiling for thirteen years on his book, he was being eclipsed by someone who had worked for little more than two years on hers. "Who was I, after all?" Hilberg asked bitterly in his autobiography. "She, the thinker, and I, the laborer who wrote only a simple report, albeit one which was indispensable once she had exploited it." The situation was made clear in a letter that Siegfried Moses, the head of the Council of Jews from Germany, wrote to Arendt that spring. "I came to New York with the draft of a statement which was to be published by the Council of Jews from Germany. It was to attack the presentation given in Hilberg's book." But, Moses added, "Now, the defense of the council must oppose primarily your articles." In his autobiography, Hilberg was emphatic in pointing out the differences between his and Arendt's arguments. He noted that whereas Arendt's analysis of Jewish leadership was restricted to the Judenräte, in *The Destruction of the European Jews* he had written that the Jews had a centuries-old tradition of saving themselves by complying with violent, anti-Semitic rulers—a precedent that collided with the unprecedented brutality of the Nazis.

Hilberg avoided synagogue and relished taking positions that antagonized many Jews.

But just as Arendt did not give Hilberg the full credit he was due, Hilberg did not properly acknowledge her insights. In writing about Eichmann, she had proposed a bold new way of describing how ordinary Germans had been drawn into the machinery of destruction—a discussion that Hilberg had avoided. On a more immediate level, Arendt, despite having taken liberties with some of Hilberg's facts, had nevertheless acted as a popular interpreter of his research—providing visibility for a book that could easily have fallen down an academic mine shaft. In the process, this kick-started the rise of the study of the Holocaust.

There is no better testament to the cross-pollination of their ideas than the career of Christopher Browning, author of *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* and one of the world's most respected Holocaust scholars. Browning became interested in the Holocaust in the late '60s when he was an activist against the Vietnam War. Like so many students at the time, he turned to *Eichmann in Jerusalem* in the hopes of understanding how governments are drawn into planning death and destruction. After noticing Arendt's few references to Hilberg, Browning bought a copy of *The Destruction of the European Jews*. He read it during a long convalescence from mononucleosis, and it changed his life. "Some people have religious conversion experiences," Browning said at a memorial service for Hilberg; "upon reading Hilberg I had a life-changing academic conversion experience." Browning had been working toward a master's in French history but then decided to write a dissertation on an aspect of Hilberg's research. "Hilberg became visible to me by virtue of Arendt," Browning told me. "For most people it was an entirely negative connection—but for me, it turned out to be entirely positive."

Another kink in the story is that the claim on which Hilberg and Arendt had staked so much—Jewish compliance during the war—is considered, even by their admirers, to be the blind spot of their *oeuvres*. Young-Bruehl writes in her biography that Arendt's knowledge of the Holocaust-era ghettos "was not always extensive enough to support her generalizations." Amos Elon, in the introduction to the Penguin Classics edition of *Eichmann in Jerusalem*, says Arendt "was inexcusably flippant." Hilberg, of course, was a meticulous researcher, yet the passages about the Jewish councils in *The Destruction of the European Jews* have a very different feel from the rest of the book. Whereas the book is generally heavily footnoted, these pages have long runs of clean or lightly footnoted discursive prose. Had Hilberg strayed from the facts? Michael Marrus, who has written critically about Arendt's and Hilberg's accounts of the Judenräte, says that while many Jewish historians have erred "too much on the side of heroism and resistance," Hilberg "was way off on the other side of the spectrum. His views about the Jews are sometimes almost caricatural." Browning agrees, and adds that Hilberg had an ornery attachment to these passages: "That's the one chapter he would never change. He had a stubborn streak."

Hilberg and Arendt may have clung to these heretical positions because their exodus from Europe left them with similarly tortured perspectives on the Jews they had left behind. Both writers were steeped in German-Jewish culture, which had long disdained the less cultured Jews in Eastern Europe. Complicating matters was that it was Eastern Jews who had been overwhelmingly slaughtered. Arendt's criticism of the Israeli prosecution in Eichmann's trial was spiced by her distaste for what she saw as the Israeli muddle of Middle Eastern and Eastern European Jews. Her most famous relationship was with Heidegger, the philosopher and Nazi Party member, and her husband, Blücher, was a German gentile. In a similar pattern, Hilberg endlessly criticized Jewish scholars while heaping praise on German scholars who were studying the same material.

More personally and concretely, though, the works of Hilberg and Arendt were colored by their experiences as young secular Jews influenced by Zionism. Arendt's Zionist work—before and immediately after the war—is well-known. Hilberg's Zionist background, on the other hand, has generally gone unrecognized. In his autobiography, he says little about his engagement with the Jewish community in Vienna. But his best friend from his youth, Eric Marder, recalls that both boys had gone to a Zionist school in Vienna, which taught them the need for Jews to build a home of their own and to defend themselves. The lessons stuck, says Marder, who left Vienna shortly after Hilberg's family. Marder also ended up in Brooklyn, and he recalls that when he and Hilberg were in high school, they would walk home and talk about what was happening in Europe. "We both felt that politically the Jewish community in Europe had behaved badly. Instead of fighting the Nazis, they had surrendered to them."

At the time that Hilberg and Marder were having those conversations, Arendt was expressing similar disappointment about the apparent unwillingness of the Jews to stand up for themselves. During the war, Arendt wrote a series of articles for Jewish newspapers in the United States calling for Jews to form an army to fight back. In time, though, her writing reflected a growing, almost shamefaced recognition that the Jews would go down meekly. In 1944, in the article "From Army to Brigade," she spoke of the "unbearable humiliation of the Jew-

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ish people, who felt that the whole world had damned them to the degrading role of victimhood."

Later on, both thinkers wanted to be seen as clear-eyed observers, unsullied by any attachment to the material they were studying—hence Hilberg's stance as a disinterested scholar. "He wasn't going to let somebody else define him—as a victim or a persecuted Jew," Browning told me. "He just didn't want to go there." After the publication of *Eichmann in Jerusalem*, Gershom Scholem wrote to Arendt that she showed "little trace" of "*Ahabath Israel*: 'Love of the Jewish people.'" She eagerly accepted his assessment: "I do not 'love' the Jews, nor do I 'believe' in them; I merely belong to them as a matter of course, beyond dispute or argument." She had criticized Hilberg's work by labeling it a "simple report," but when she was attacked for being a self-hating Jew she used the label as a shield. "My position is that I wrote a report and that I am not in politics, either Jewish or otherwise," she explained to Mary McCarthy in September 1963. "In other words my point would be that what the whole furor is about are *facts* and neither theories nor ideas." She argued that she did not view the Jews any differently from any of the other people of Europe.

Hannah Arendt, 1954 AP

But it is hard not to see the youthful anger of both Hilberg and Arendt—the expression of an inchoate Zionist zeal—occasionally ruffling their more sober later writing. Scholem perceptively pointed to something very personal in Arendt's work. In his letter, he told her, "Your book speaks only of the *weakness* of the Jewish stance in the world. I am ready enough to admit that weakness; but you put such emphasis upon it that, in my view, your account ceases to be objective and acquires overtones of malice." With Hilberg, such overtones are evident when he describes innocent Jewish families going to their death: "During ghetto-clearing operations many Jewish families were unable to fight, unable to petition, unable to flee, and also unable to move to the concentration point to get it over with. They waited for the raiding parties in their homes, frozen and helpless." The writing in the works of both thinkers rings with an almost visceral desire to distance themselves from the weak Jews that they imagined they had left behind, and from whom they had hoped for so much more during the war. Young-Bruehl says that in her life as well as her thinking, Arendt "took the position that I am not a victim here—I am a resistant." But the outwardly sober and unemotional Hilberg was occasionally agitated by a resistant nerve. Yehuda Bauer, the eminent Israeli Holocaust scholar, recalls a moment when he was giving a lecture with Hilberg before a college class in Boston during the '70s. Bauer spoke about Jewish resistance to the Nazis; Hilberg began his rejoinder on a characteristically dry note before suddenly losing his temper. "He yelled at those students and he said, 'How many of you have guns in your home?'" Bauer remembers. "I said to him, 'You think there will be Nazis in Boston?' But he wasn't talking to the students—he was talking to the Jews in Europe. For a moment he forgot himself."

Discouraged by the response to *Eichmann in Jerusalem*, Arendt mostly stopped writing about Jewish issues. But she did not refrain from criticizing the Jewish world, particularly when it came to the justice of the State of Israel, which she had lost faith in, and American Jews' stalwart defense of it. This political quarrel, though, obscured Arendt's complicated understanding of her Jewish identity. It's worth remembering that her first book was not a political treatise but a sympathetic biography of Rahel Varnhagen, the secular German-Jewish salon hostess who died believing that the great shame of her life, being born a Jew, was also her greatest gift. Similarly, Arendt never stopped feeling connected to her own Jewish heritage, but always on her own terms. Young-Bruehl tells of Arendt's later years, when "everyone was very interested to observe that she put a great deal of energy into attending Seder with her friends—and the marking of Jewish holidays—in a way that she hadn't really before."

Professionally, Hilberg followed a different path after writing his great work. He maintained a single-minded commitment to *The Destruction of the European Jews*, advising translators on new editions right up to his death. He also worked more broadly on spreading a historical understanding of the Holocaust. He was an integral member of the council that oversaw the creation of the US Holocaust Memorial and Museum in Washington, and in letters to fellow council members he regularly warned against allowing the museum to become a community memorial for Jews, one dedicated to the image of the Jewish victim, instead of being a museum that would shed

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light on the entirety of the Holocaust.

Hilberg, like Arendt, remained largely estranged from collective Jewish life. He continued to live in Vermont, far from Jewish havens like New York City, and was twice married to non-Jews. He avoided synagogue and relished taking positions that antagonized many Jews. For instance, he rallied to the defense of Norman Finkelstein, who was lambasted for his book *The Holocaust Industry*, which argued that American Jewish institutions have exploited the memory of the Holocaust, turning it into shmaltz for financial and political gain. Peter Novick called Finkelstein's work "a charge into darkness that sheds no light." Hilberg not only praised Finkelstein's "analytical abilities" but also noted his strength in defying the establishment. In letters and interviews, Hilberg attacked both the community of Holocaust scholars in the United States and the Jewish organizations that had sprung up to memorialize the Holocaust. What he had warned the Holocaust Memorial council against had come to pass. After drawing such a stark picture of the Jewish collapse in *The Destruction of the European Jews*, Hilberg was horrified that many American Jews would willingly and eagerly link themselves with the history of victimhood. "Where is our dignity?" he asked an editor at Knopf in 1988.

At the lecture he delivered a few months before he died, a question was put to Hilberg: "Why do you not feel part of your community?" Without missing a beat, he responded, in an even voice, "I don't feel part of anything. I don't feel part of the university I've been a part of for decades. I don't feel part of Burlington, where I've spent all my years since 1956. I think some of us are just destined to be alone." But Hilberg's sense of being a man apart concealed the intense tug of war he had with his past. In his later years Hilberg returned to the subject of the Judenräte when he decided to edit the meticulous diaries of Adam Czerniakow, the head of the Jewish council in the Warsaw ghetto. Hilberg's work on the volume is distinguished by a nuanced sympathy for the impossible situation in which the Jews had found themselves, but most of all for Czerniakow's strong, silent decision to kill himself in the end rather than betray his principles.

Hilberg's second wife, Gwendolyn Montgomery, who was born an Episcopalian, converted to Judaism in 1992, twelve years into their marriage. She did so for reasons of her own, without Hilberg's prodding. She admits to having been surprised when Hilberg began quietly attending synagogue with her soon after her conversion. Hilberg's friends, too, were surprised to learn that his postmortem arrangements included a request for a memorial service at the Burlington synagogue.

Hilberg had not become religious in any traditional sense. Like Arendt, his relationship with Judaism was very much on his terms. The legacy of Jewish victimhood galled him as much as it did Arendt, but it didn't stifle his respect for the Jewish conscience. Here it was his turn to borrow from Arendt. Shortly before the end of the war, Arendt wrote an intriguing set of essays about the notion of "the Jew as pariah," in which she identified Sholom Aleichem, Franz Kafka and Henrich Heine as heirs to the greatest Jewish tradition. "It is the tradition of a minority of Jews who have not wanted to become upstarts, who preferred the status of 'conscious pariah,'" she claimed. "All vaunted Jewish qualities—the 'Jewish heart,' humanity, humor, disinterested intelligence—are pariah qualities." In 1965, two years after the appearance of *Eichmann in Jerusalem*, Hilberg published a little-noticed essay in *Midstream* magazine in which he described the conditions that had motivated Germans to perpetrate the Holocaust. He then expressed his admiration for the pariahs of his people. "Jews are iconoclasts. They will not worship idols," he wrote. "The Jews are the conscience of the world. They are the father figures, stern, critical, and forbidding." He returned to the subject in his last lecture, in which he explained that despite his expressions of derision, his commitment had been "to my people, whether they want it or not, or like it. You know, I could have written my dissertation on multipartite treaties. I could have been a big shot. No, I wrote the dissertation that everyone without exception who was an adult told me not to write."

This was not a description of the many Jews Hilberg was constantly criticizing but rather an idealized description of the community of Jews he imagined being part of, and people close to him understood as much. In his final months, as he was dying of lung cancer, one of the few people Hilberg wanted to see was Richard Sugarman. Many years earlier, Sugarman, who is an Orthodox Jew, had been walking around campus with a rabbi distributing Passover matzo. Sugarman remembers how the rabbi respectfully left Hilberg alone. "It seems to me that Professor Hilberg has his own *avodah*," Sugarman recalls the rabbi saying, "his own way of service." ■

One From the Heart

by STUART KLAWANS

Natalie Wood gazed off-camera, her moonlit eyes glittering with sexual speculation, and wondered aloud what James Dean was like. "Well, you have to get to know him," Sal Mineo replied. His face, turned in the same direction as Natalie's, glowed with similar lust but even greater candor. His words, inadequate to the great subject that had been proposed, emerged in dreamy, indefinite phrases, until at last he hit on the right one: "He's sincere."

"That's the main thing," Natalie said.

So we learn the lesson of *Rebel Without a Cause*: the main thing in life is not to be honest, truthful, plainspoken or straightforward but sincere. Why this should be so is not self-evident; but, if true, what can the movies tell us about this goal? Set aside all the evidence that the memoir writers have been piling up; pass by the equally mountainous body of handmade documentaries about My Personal Journey, and the pooling televisual tears of Glenn Beck. Let's try to discover something about sincerity by looking just at movies—or, to begin, at movie stars.

I think of poor, trembling, heart-in-throat Judy Garland, who was as sincere as a whistling teakettle. Jimmy Stewart from his great, slender height could give off sincerity the way a tree drops leaves, fumbling and stammering it from himself. And what about Marilyn, that uncanny transmitter stuck in the "on" position, whose signal of vulnerable, innocent warmth somehow cut through the static of hair dye, falsies and elocution? It's sincerity, as much as sex appeal, that has linked her in a kitschy afterlife with James Dean. Sexy actors and actresses lie thick in Forest Lawn; but sincere ones are exceptional in a business that values controlled persuasiveness, not the seemingly involuntary broadcasting of weaknesses and wounds. That's the first thing to be learned. Go beyond the few stars mentioned, and you soon find yourself straying

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from Hollywood into the emotive world of John Cassavetes.

Here we come to the second lesson, which is to distinguish between sincerity, on the one hand, and ideals such as individuality and authenticity, on the other. Many directors have made personal films without any show of laying bare the heart. (Think of Erich von Stroheim, who had "phony" for a middle name. Think of the wily Hitchcock.) And by the 1950s, thanks to the prestige of Italian neorealism, directors who wanted to demonstrate their seriousness could do so by exhibiting a rough, seemingly spontaneous style. It was Cassavetes, more than anyone else, who went beyond these precedents, to take sincerity as his method and subject matter.

WILSON WEBB

Greta Gerwig as Florence Marr in *Greenberg*

This great development in the history of sincerity could not have been achieved without a fight—which was fortunate, since Cassavetes was always spoiling for one. To shape the filmmaking around the actors, rather than make the actors conform to the filmmaking, required a revolt that was as much commercial as aesthetic. A successful revolt: I don't think we'd be misreading film history too grossly if we were to trace back to Cassavetes a vast celluloid river that's been flowing in America for the past forty years, swollen with cheaply made studies (they don't always have enough plot to be dramas) about ordinary-seeming people whose main business is to express themselves without affectation. It would not necessarily be a disparagement of these films, some of which were recently tagged as a not-quite-movement called mumblecore, if I were to point out that by now they require no revolt. A third lesson: sincerity may never become big at the box office, but it long ago claimed its own market niche.

Which leads me to Noah Baumbach's *Greenberg*. It's more than watchable, thanks in part to the casually luscious cinematography by Harris Savides. You might enjoy passing a couple of hours with it; and if you happen to be particularly curious about movies, you might even go out of your way to see it, knowing that Baumbach is, among his other credits, the writer-director of *The Squid and the Whale* (that exceptionally literate and astringent comedy of domestic woes) and the co-writer, with Wes Anderson, of *Fantastic Mr. Fox*. He's worth following; but that's not why I bring *Greenberg* to your attention. I'm interested in this beguiling, outwardly modest film for what it suggests about the difference between the personal and the sincere, as summed up in a flirtation (or is it a conflict?) between two generations.

In the title role, playing a character of approximately Baumbach's age, is Ben Stiller, the sharp planes of his face looking more chiseled than usual within a frame of shaggy hair. Some generational exemplar, this gaunt and messy Roger Greenberg. All you know about him at first is his fragility: his lack of a job, his recent stay in a psychiatric hospital, his diverse supply of prescription drugs. As the story begins, he has returned from New York to his native Los Angeles, where he will pass the time house-sitting for his well-to-do vacationing brother, evidently having nowhere else to go right now and no better use for his trade as a carpenter than to build a doghouse for his brother's German shepherd. More information will be forthcoming (Baumbach is good at playing out a backstory); but this is enough for now, given Roger's unblinking stare and his way of moving as if swaddled in cotton. Most people, by the time they hit 40, have tasted disappointment. Roger, you can see, is woozy from gorging on the stuff.

Cast as his opposite, and coming from the generation still in its 20s, is a veteran of the mumblecore scene (the veteran having been born in 1984, the scene arguably having peaked in 2007), Greta Gerwig. She plays Florence Marr, salaried errand girl for the entire household of Roger's brother: a young woman so unassuming that she feels she's been granted a favor when, on the road, she gets to change lanes; so meek that she pretends to be not merely resigned but pleased when Roger's brother, on his way out of town, says he doesn't have a paycheck for her right then. "It's better in a way," she replies, "because then I don't spend it all at once," as if she had anything to spend at all.

So Baumbach sets up the meet-cute. Blond and baby-cheeked Florence, with her floppy hair, floppy clothes but too readily upturned lips, will have to pass by the brother's house to pick up her belated paycheck, and so will run into Roger. For two or three minutes, they will stand on either side of a kitchen island and use their eyes to perform an elaborate dance of mutual avoidance.

What exactly are these people trying to evade? To say sex would be improbable, given that this is a modern romantic comedy. Bodies will collide (though *Greenberg* does break with convention by accelerating from zero to wreckage-strewn disaster in less than ten seconds). A more likely answer might be that Florence and Roger hope to escape embarrassment (and will fail—see above). But there is something else to be avoided within the film's milieu of pricey homes and show-business careers, something that repels both characters so strongly that it helps push them together. Roger and Florence are determined to keep their distance from ambition.

This fecklessness seems wholesome in

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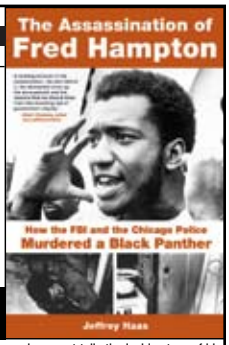

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the well-scrubbed Florence, who (unlike Roger) has enough energy and competence for both work and play. When not picking up the dry cleaning for the brother and walking his dog, she moonlights as a singer—though not as if she wanted to command anyone's attention. Performing in the kind of bars where you're expected to bring your own audience, Florence dedicates herself to a repertory of the most exquisitely refined obscurity, singing as if to herself while her hands wander in search of a resting place. All right, it's a style. But this is also her sincerity: her refusal not just of careerism but of any effort to create a public voice, even when one seems to be called for. Her art, a direct extension of her body, goes no further than immediate earshot. If she entertains a troubled and probably inappropriate attraction to Roger, it's partly from her notion that he, too, doesn't want to impress people in general or chase after success. He's alluringly undemonstrative.

And yet, as the audience knows but she doesn't, Roger's refusal of ambition is blatantly insincere. Although he volunteers to his old friends that he is "trying to do nothing for a while," as if this were a spiritual discipline, he has been furiously attempting to reform society by means of letters of complaint, which he addresses to a roster of corporations and political bodies that have not met his expectations. And what high expectations they are! His other main occupation, which he seems to have pursued for the past fifteen years, is to maintain himself in the purity of the long-ago moment when the world failed to give him exactly the career he wanted. Let others of his generation settle down to unworthy endeavors. Roger will remain a proud case of arrested development.

This fecklessness seems pathological—but in its self-contradiction, self-involvement, duplicity and emotional violence, it opens possibilities that are unknown to Florence's sincerity. Unlike Florence, Roger is trying to find his public voice. Over the course of the film, starting from a condition in which he can scarcely stammer a few shaky words, he will succeed, as his raging need to tell the world how to conduct itself becomes steadily more open, articulate, sarcastic and locally targeted. In a sense, *Greenberg* is driven forward not by narrative complications but by a mounting urge toward vituperation, which at last bursts out against an entire house party full of people around Florence's age.

They're all so sure of themselves. She alone of her generation is exempted from the tirade—first, because Roger now knows she's vulnerable, and, second, because she's resting at home and so is out of the primary danger zone, which is whatever happens to be in front of his eyes. When the fit passes, and his impulses are as close to being in control as they get, Roger will think again about his feelings and address Florence kindly, as an individual. What's telling, though, is the way he does it. To speak to the woman who put the "mumble" in mumblecore, the one who seems to want to be heard only by those who are close at hand, he resorts to mechanical reproduction, leaving a voice-mail message.

So we learn a lesson or two from *Greenberg*.

First, we may conclude that the therapeutic theme of this sincere movie is not to be trusted. Yes, it appears as if Florence's role is to heal Roger. (And I mean "appears": to see them side by side is to see a tall glass of fresh milk next to a twist of beef jerky.) It also appears, on a more allegorical level, that Gerwig, as the emissary of a younger art-house generation, has been recruited to rejuvenate Baumbach, now that he is hitting middle age and leaving a clear auteurist signature (that is to say, starting to repeat himself). But it's youth in *Greenberg* that flops backward for age, from the first grope to the final acquiescence. As sick and pathetic as Roger is made out to be, he's the one with the more powerful language, the louder voice, the pushier attitude, the wider frame of reference; and he's not alone among his generation. Jennifer Jason Leigh is here, too, in a small role (in addition to having thought up the story with her husband, Baumbach), as if to remind us of everything that the lead actress is not. Gerwig is a warm and amiable screen presence in *Greenberg*; but when you compare her with Leigh, the sincerity of a younger generation is overmatched by the personal power of an older one.

But then, as the final lesson, we should learn not to trust the persona that Gerwig puts on for *Greenberg*. This is a woman who has pushed herself to play roles in fourteen films to date, plus write, direct and produce, all before seeing the dark side of 27. Some generational exemplar; some harmless floater. It's actually the older, unashamedly prickly filmmakers of *Greenberg*, now secure in their success, who have put forward the image of a sincere Gerwig, for the sake of making a consoling story about bighearted losers.

That's pretty dishonest—but in its way, it's also kind of sweet. ■

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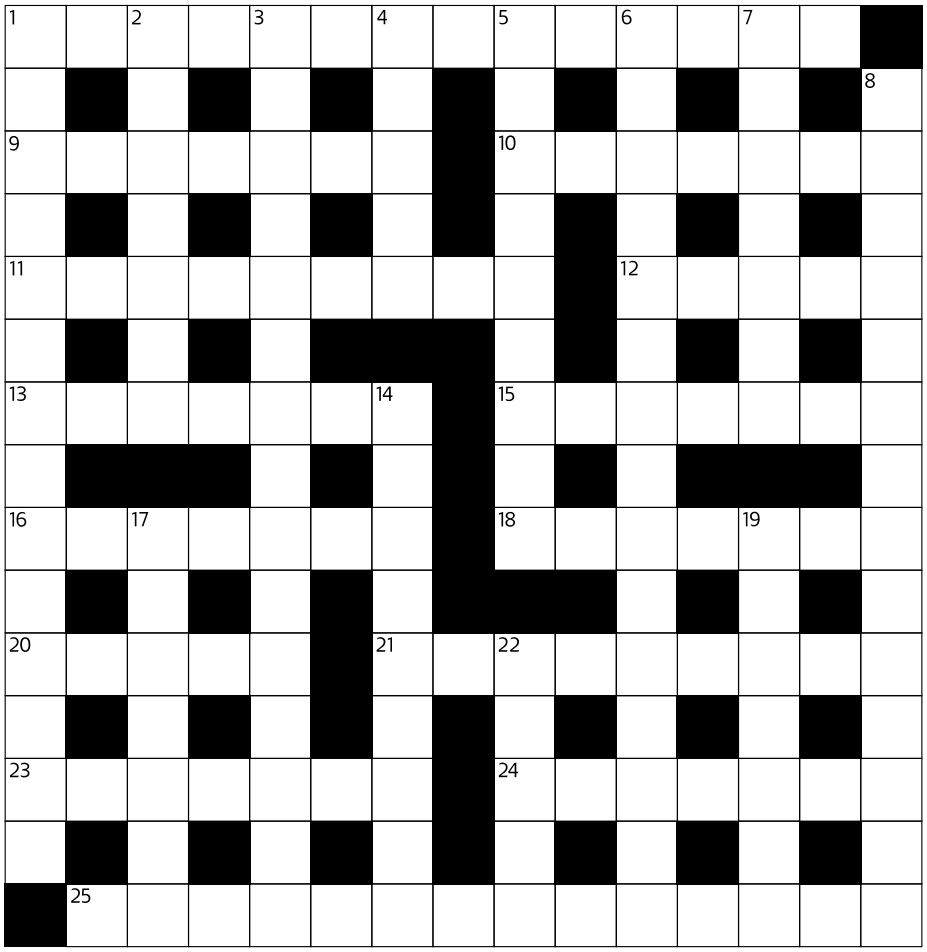

ACROSS

1 It isn't hard to be a burglar if you do, as a way to get the rest. (4,6,4)

9 Not another name for the Los Angeles team. (7)

10 Shingles do, where car robes used to be thrown. (7)

11 Simple men "tell and show" a tool of some sort. (9)

12 We hear the ten-fifty to be superior. (5)

13 Angered, sort of? Yes, really angered! (7)

15 Some art form, according to what Toscanini might have heard. (7)

16 Dresses for the unusual artiste. (7)

18 What British braces do? (7)

20 One of the well-known brothers, committed to silence. (5)

21 Bad verse robs this of the answer, according to seers of a sort. (9)

23 Presently at this place, but otherwise impossible to locate. (7)

24 Prepared to act, getting out in the wrong boat. (5,2)

25 One can't by dropping a modern one, but superstars often try to. (5,3,6)

DOWN

1 Wells produced this—not exactly like clockwork! (3,4,7)

2 A flint worker sounds as though he might 1 across. (7)

3 Updated by Brecht and Weill. (3,7,5)

4 Possibly a magazine for children? (5)

5 A big improvement on the Dickens period! Playboy might like them… (4,5)

6 …and a much closer characterization by Dickens. (8,7)

7 Importune, making it thus legal. (7)

8 The initial cause of the Trojan War, in itself the fruit of the argument. (5,2,7)

14 Nothing at home plate above it—that's not being truthful! (9)

17 A short time in the tower for the pitcher, perhaps. (7)

19 A facsimile for use in the printing and composing role, etc. (7)

22 The balance of incrustation is graduated. (5)

This puzzle originally appeared in the April 28, 1979, issue.

SOLUTION TO PUZZLE NO. 1295

		I	N	D	O	O	R	S	P	O	R	T		
	B		A		V		O		O		A		R	
C	Y	S	T		E	L	B	O	W		C	R	E	W
	H		U		R		E		E		E		M	
F	O	R	R	E	S	T		O	R	C	R	O	O	K
	O		A		E		E		E				T	
S	K	E	L	E	T	O	N		D	E	A	D	E	N
			L				E				N			
O	B	E	Y	E	D		M	O	B	Y	D	I	C	K
	A				U		Y		R		T		O	
D	R	A	W	E	R	S		D	E	T	A	I	L	S
	R		O		A		G		A		C		O	
R	O	O	M		B	L	O	C	K		K	I	N	D
	W		A		L		T		I		L		S	
		U	N	D	E	R	H	A	N	D	E	D		

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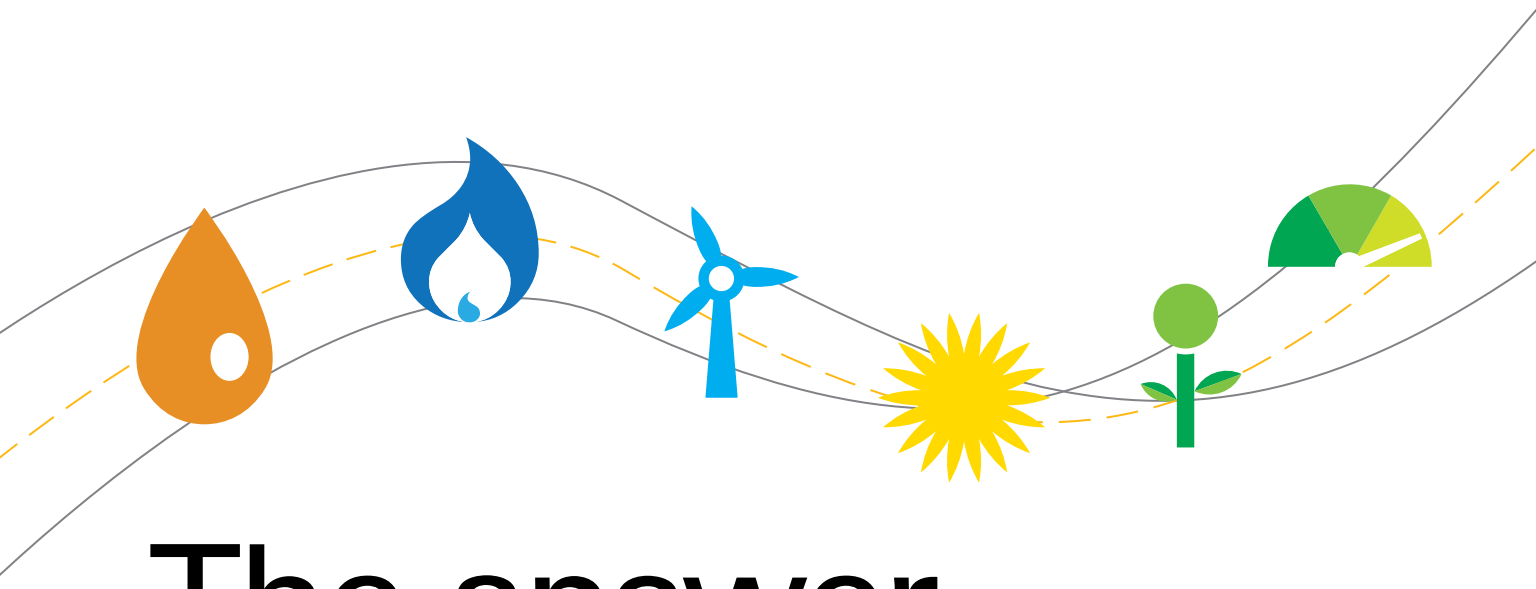

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